UNITED
NATIONS

TD

United Nations Conference on Trade and Development

Distri.
GENERAL

TD/B/WG.2/6
27 September 1993

ENGLISH ONLY

TRADE AND DEVELOPMENT BOARD
Ad Hoc Working Group on Trade Efficiency
Second Session
Geneva, 15 November 1993
Item 2 of the provisional agenda

FACILITATING TRADE

COMPENDIUM OF TRADE FACILITATION RECOMMENDATIONS

Note by the UNCTAD secretariat

1. According to its programme of work, Section B (Facilitating trade), paragraph (a), the *Ad Hoc* Working Group will "identify and promote ways to rationalize trade procedures and simplify and standardize information requirements. The work of the United Nations Economic Commission for Europe (UN/ECE) WP.4 and other relevant bodies will be taken into account. Possibilities of reducing transaction costs should be identified".

2. The ECE Working Party on Facilitation of International Trade Procedures (WP.4) is widely considered as the focal point for intergovernmental and inter-organizational concertation on trade facilitation issues. The UN/EDIFACT messages for Electronic Data Interchange (EDI) are developed under its aegis. Since 1973, the Working Party has issued twenty-three Recommendations addressed to governments, to international governmental or non-governmental organizations concerned with trade and transport at large, and to those engaged in international trade operations. These Recommendations have been developed jointly with the UNCTAD secretariat. Many of them are largely implemented in most countries of the ECE Region and also, mainly as a result of UNCTAD Technical Co-operation activities, in some countries in other Regions. Their generalized implementation would substantially contribute to further rationalizing trade procedures and simplifying and standardizing information requirements.

3. In addition to WP.4, other subsidiary bodies of the ECE and a number of international governmental and non-governmental organizations have developed instruments such as Conventions, Recommendations, Standards, Recommended Practices, the purpose of which also is to rationalize procedures and simplify and standardize information requirements in their respective spheres of responsibility. These include in particular the ECE Inland Transport Committee and its Working Party on Customs Questions affecting Transport (WP.30), the International Maritime Organization (IMO), the United Nations Commission on International Trade Law (UNCITRAL), the International Civil Aviation Organization (ICAO), the General Agreement on Tariffs and Trade (GATT), the Customs Co-operation Council (CCC), the International Chamber of Commerce (ICC), the International Chamber of Shipping (ICS), the International Organization for Standardization (ISO).

4. As a whole, the provisions of the above-mentioned Conventions, Recommendations, etc. aim at reducing and harmonizing administrative and commercial information requirements, simplifying the preparation of the required documentation, streamlining procedures, speeding up the transfer of information and facilitating its processing, improving trade practices. These trade facilitation measures are dispersed into a number of instruments of various kinds and status, normally available in a limited number of languages; in spite of efforts made over the years, in particular through UNCTAD's technical co-operation activities, to promote them in all regions of the world, many participants in international trade may not even be aware of their existence. This Compendium could be used as reference material by those engaged, at the national, sectoral or international level in the process of simplifying and rationalizing trade procedures in a broad sense, and also by trade operators which would be seeking for model practices, agreed standards, etc., that could serve as a basis for improving their procedures and modus operandi, thus reducing transaction costs.

5. At its thirty-seventh session, in March 1993, WP.4 "approved co-operation with UNCTAD/SPTE on the development of a Compendium of Trade Facilitation Recommendations" (TRADE/WP.4/183, paragraph 70), and the delegations of Belgium, Finland, France, Germany, Romania, the United Kingdom, the European Community and the Customs Co-operation Council agreed to participate in the preparation of the document. Comments received have been incorporated into the attached version of the Compendium, which will be submitted to WP.4 at its thirty-eight session in September 1993. Delegations to WP.4 will be invited to review the Compendium and to send their comments to the UN/ECE secretariat by mid-December 1993.

6. Amendments and additions that the Ad Hoc Working Group and its members would wish to introduce into the Compendium will be brought to the attention of WP.4 at its March 1994 session. The final version of the document will then by agreed by the Working Party for eventual inclusion in the documentation to be presented to the United Nations International Symposium on Trade Efficiency.

UNITED NATIONS
ECONOMIC COMMISSION
FOR EUROPE

UNITED NATIONS
CONFERENCE ON TRADE
AND DEVELOPMENT

UN/ECE WORKING PARTY
ON FACILITATION OF INTERNATIONAL TRADE PROCEDURES
(WP.4)

COMPENDIUM

OF

TRADE FACILITATION

RECOMMENDATIONS

Geneva
July 1993

FOREWORD

This Compendium has been compiled within the UNCTAD Special Programme for Trade Efficiency (SPTE) as a contribution to the work being done by the ECE Working Party on Facilitation of International Trade Procedures (WP.4) in preparation for the 1994 United Nations International Symposium on Trade Efficiency. It is intended to be used as reference material by those engaged, at the national, sectorial or international level, in the process of simplifying and rationalizing trade procedures in a broad sense, and also by trade operators which would be looking for model practices, agreed standards, etc., that could serve as a basis for improving their procedures and modus operandi.

Section I (Introduction) contains background information on the fundamental and practical issues that Trade Facilitation addresses; it is based on a study made by SITPRO, the Simpler Trade Procedures Board of the United Kingdom. The Introduction reviews the present situation in the field of the production, transfer and use of information required in the course of an international trade transaction, with a view to identifying the needs for further harmonization, standardization and simplification for more efficient trade. Examples are given of some of the practical solutions which are the subject of Recommendations by WP.4 or other bodies, and of problems which still have to be solved.

For many years, in addition to specific Trade Facilitation Recommendations like those adopted by WP.4, international instruments being developed in areas connected with international trade and transport have incorporated provisions aimed at facilitating the movement of goods and means of transport or the provision of services by reducing information requirements, streamlining procedures, standardizing information elements and paper forms, harmonizing official and commercial practices, providing standard formats for electronic transmission. Section II includes a Summary of recommendations and other provisions extracted from a number of international instruments of various kinds (Conventions, Agreements, Recommendations addressed to Governments and the business community, Standards, Recommended Practices, etc.), the objective of which is to bring about suitable solutions to facilitate trade.

The objectives and scope of these various instruments are briefly presented in Section III (Sources).

Section IV contains the complete or abridged text, or a paraphrase, as appropriate, of the Recommendations listed in Section II. These extracts from international instruments are given for reference purposes, and not as a substitute for the full text which constitutes the only valid source for official use.

NOTE

Trade facilitation is defined as "the systematic rationalization of procedures and documentation for international trade (trade procedures being the activities, practices and formalities involved in collecting, presenting, communicating and processing data required for the movement of goods in international trade)". (Source: Facts about the Working Party on Facilitation of International Trade Procedures, TRADE/WP.4/INF.91; TD/B/FAL/INF.91)

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SECTION I - INTRODUCTION

1.1 INFORMATION FLOWS

1.1.1 Formalities, procedures and paperwork in international trade are generated by the need for both governments and trade operators to monitor and control the movement of goods and the transfer of services and by the necessity of safeguarding every party's legitimate interests. Closely related to this are the requirements for information and financial flows between the trading parties. Over the years, trade facilitation efforts conducted by international or national bodies in various countries or sectors have introduced improvements in the trade-related information flows, by simplifying the requirements, harmonizing the procedures and the documentation, standardizing commercial practices, introducing agreed codes for the representation of information elements. However, certain countries still maintain requirements which run contrary to these facilitation efforts, because of historical precedents, commercial inertia, difficulty in adjusting the methods of their control bodies, or ignorance of the solutions that have been developed elsewhere.

1.1.2 The systems developed to link the shippers, transport operators, port authorities, bankers, insurance companies, Customs, consignees and others concerned in the business of international trade are constantly being adapted to meet the changing needs associated in particular with the speed of modern transport and express freight deliveries and the convenience attainable through the use of containers, and also to take advantage of the possibilities that technology offers for improving information processing and transmission.

1.1.3 Today information flows are at a point midway between paper documents still often painfully filled in by hand, those produced by computer but still sent manually (and often re-entered manually into another computer) and the world of automatic data transmission where data are sent from computer to computer with minimal human intervention.

1.1.4 The timely arrival of information is a vital component in any international trade transaction; but frequently the goods arrive at the destination before the information needed by the operators to perform their function. Delays in information production and transfer can be reduced if agreement is reached to make the maximum use of modern information technology, e.g. computerizing the preparation of required documents, sending copies by facsimile transmission, or using Electronic Data Interchange (EDI). Where this is too far advanced, the use of standard aligned documents can provide a solution for simplifying document preparation. However more needs to be done to facilitate the information flows (i.e. how the data are collected, transferred and dealt with). While part of the answer may lie in the simplification of the official and commercial procedures themselves, there should be in addition some systematic way of handling information relevant to the technology available. The advent of cheap and reliable computers even in the least advanced countries offers enormous opportunities. So does the progress achieved in telecommunications facilities.

1.1.5 The problems created by trade documents and procedures fall into two categories: the supply of data; and the complexity of some of the procedures.

1.1.6 As stated above goods often arrive before the information which should precede them and which is essential if they are to be dealt with expeditiously. Some companies take very expensive solutions, e.g. the use of courier services, to avoid delays due to missing documents at critical points in the transaction chain. However, this can be efficient only if despatches are adjusted to the speed of the best practical performance that can be expected in average international transactions. The complexity of some of the procedures may greatly increase the loss of efficiency if steps are not taken to minimize the amount of information required while goods are in transit. More generally, procedural requirements should be re-examined and manual systems tidied up before information technology can, with safety and economic advantage, be systematically applied.

1.1.7 In theory, there should be nothing inherently too complicated in the systems and procedures for selling goods from one country to another. Indeed, apart from additional official requirements caused by the protection of national interests, this should replicate the procedures carried out in any domestic market. The difficulties arise in part from the sheer scale of the operations and in part from the vast number of people, interests, nations and languages involved. What may appear as a facilitation solution in one part of this network can, and often does, create difficulties in another. To take an example, Preshipment Inspection (PSI), which may be appropriate to solve a specific problem in the importing country, can impede the exporter, and the latter incorporates the costs incurred into his selling price; the resulting costs of PSI are finally borne by the final consumer of the goods in the importing country.[1]

1.1.8 Buyer and seller want to see their agreement for the sale and purchase of goods accomplished with the minimum of complication and cost against the background of their total production control and marketing arrangements. The seller wants sure payment and a safe timely arrival of his goods so that a single transaction is not only satisfactory to both parties but also contributes to the possibility of future business. The buyer wants to receive the goods he has agreed to buy at the place and time provided in his contract in good condition and with no more formalities or exertion on his part than are reasonably necessary to obtain possession and make payment.

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[1] See Recommendations I.2, I.3, I.14, I.15 and I.42 in Section IV

1.1.9 Carrying and handling interests want to be able to receive and deliver the goods on behalf of their clients with the minimum of complication. They also seek to fulfil this function in ways and under conditions conforming as closely as possible with their own requirements for the effective operation of their transport and handling resources.

1.1.10 The banker wants to finance and facilitate payment for his customers' trade transactions by means which, while meeting individual requirements as closely as possible, will give proper weight to prudent precautions against loss or misunderstanding. In this he needs the prompt presentation of documents which comply with the terms of the instructions he has received. Any variation in the documents, particularly when payment is made in the framework of a Documentary Credit, will result in delays for correction or verification.

1.1.11 However reasonable and economically justified such needs are, it is by no means uncommon for the requirements of one commercial concern or trade to conflict with those of another. Individual needs and incompatibilities must be identified before they can be reconciled and reconciled before they can be met. The best people to explain their needs will always be the commercial interests themselves, but this requires that they have ample means of expressing their views through a variety of organizations, including national trade facilitation bodies, as recommended by the UN/ECE Working Party on Facilitation of International Trade Procedures (WP.4) (ECE/FAL Recommendation No.4)[2].

1.1.12 As mentioned above, the requirements of both governments and commercial operators to monitor and control the movement of goods and payment thereof drive the procedures and paperwork generated in international trade. Whilst the ultimate destination of the information may be divided between the official and commercial sectors, during the transaction the data required by both sectors remain closely and inextricably linked. Commercial requirements are devised by the trading parties to meet their own needs and are therefore malleable and easily adaptable to comply with changing trade practices. By contrast, official requirements are enforced and controlled by governments and have diverse aims, such as fiscal, protective, trade control and health requirements. The facilitation of trade may not be the primary purpose so the possibility of change can be limited or at the best very slow.

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[2] See Recommendation A.1 in Section IV

1.1.13 Those asking for and those providing information each have certain responsibilities. The essence of the technical task is to move minimum information with maximum efficiency. The criterion should be the minimum information necessary to service the transaction and not the minimum that people would like to obtain for other purposes. This puts a special responsibility on those interests, especially governments, banks and other credit institutions, which are in a position to enforce their data requirements.

1.1.14 Regardless of the end use of the data, the timely arrival of information, certainly before the arrival of the goods, is a vital component in any international trade transaction. As world distances "shrink" and travel times are reduced, it is essential that information is transmitted using the quickest, most effective method available to the parties involved. If it arrives after the cargo, the best information in the world will still cause acute problems, especially in the port community. Whilst it is appreciated that the technology available in different parts of the world may differ, where possible the use of modern technology should be encouraged, and suitable conditions for such use (including the necessary legal or regulatory framework) should be established in the countries concerned.

1.2 DOCUMENTARY REQUIREMENTS

1.2.1 One of the arguments commonly stated against the paperwork and procedures in international trade is that they may give rise to avoidable costs, e.g. those concerning duplication and reproduction of data, a problem which is greatly accentuated when a transaction is not perfectly executed.

1.2.2 Costs in this crude sense may be an ambiguous and even misleading index. Effective overall control systems might be established which, while showing substantial advantages at the management centre, could impose extra complications and costs on shipping and movement control functions taken in isolation.

1.2.3 Given that massive information is required in international trade, which can result in a mass of paper, there are attractions in any method which can simplify the production of the numbers and copies of documents. Many of the difficulties associated with information flows can be eliminated by the use of "aligned documents" i.e. documents printed on the same size paper and with common items of information set out in the same relative position on each form.

1.2.4 Although the range of documents aligned to a common standard, the United Nations Layout Key[3], is now fairly extensive, many companies do not avail themselves of this facility. They should be made aware of the benefits they could derive from using aligned documents, the more so if internal company requirements are also linked to the aligned system[4].

1.2.5 The basic system is very simple and can operate without modern technology. By typing the details of the transaction or shipment on a master document, the aligned forms can be prepared by what is known as the "one-run" system. Various methods of reproduction can be used - spirit duplicating, dyeline and, more commonly, photocopying. Items of information which are not required on individual forms for a particular procedure can be omitted by the use of plastic masks or other techniques, which blank out the data on the reproduced document.

1.2.6 Information can be added to the master document at any time during the preparation and printing of individual forms. These systems reduce the cost and time taken to prepare documents and, once the master has been checked, ensure that the information on all forms is accurate.

1.2.7 Software packages are also available for extracting the required information from internal databases and producing aligned documents using micro-computers. This enables the companies either to produce masters which are used for reproducing the required forms, to print information on pre-printed forms, or to produce completed forms from plain paper by using a laser printer.

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[3] See Recommendation A.6 in Section IV

[4] See Recommendation N.27

1.2.8 In considering reforms in documentation and procedures, commercial interests will be much influenced by likely effective reductions in the overall cost of financing, handling and moving goods from exporter to importer, seller to buyer. It should be realized in this respect that the direct costs of documents and procedures are only one part of the story. Indirect costs, such as fines, demurrage and loss of business because of inadequate documentation,which can be far more significant, are difficult if not impossible to cost in advance or quantify. Documentation and procedural costs in a particular transaction may be minimal yet any one of the many minor errors which are endemic throughout present systems may result, for example, in demurrage costs of thousands of dollars.

1.2.9 In this context, those asking for information, e.g. Customs, carriers, etc. should ask for the minimum of information at the best time and, if asking others to complete their documents (e.g. goods declarations), provide these in a standard format. Those providing information have a responsibility to provide accurate data at the right time on the agreed format. When these conditions are fulfilled, each party -both the provider and receiver of information - can operate efficient documentation systems and carry out their own procedures in the minimum time.

1.3 ELECTRONIC DATA INTERCHANGE (EDI)

1.3.1 EDI is a product of the two most rapidly advancing technologies in modern times, namely computing and telecommunications. The convergence of these two technologies has made it possible for a structured string of data to be exchanged between business applications without human intervention. EDI revolutionizes business communications by removing a complete layer in business practices - the use and processing of paper documents. The rationalization of data flows within a company enhances the integration of business functions and hence facilitates the decision making process. EDI opens up potent strategies such as "just in time" manufacturing. In addition, it enables companies to forge closer and more effective links with their trading partners.

1.3.2 Paperless trading is growing fast in many countries, in particular because "just in time" stock control usually means more, smaller shipments with very tight delivery schedules that paper documents cannot cope with, and also because EDI is a natural evolution in the international trade cycle. Indeed, one of the principal reasons for using EDI is the mountain of paper documents produced, moved, handled, corrected, transcribed and copied in normal business transactions. EDI has none of the disadvantages of paper documents and brings substantial benefits and savings to companies which implement it, such as accuracy (data are received directly from computer files and are not re-entered manually), speed (data are processed by computer without manual intervention and are transmitted quicker than information sent by post or courier and re-entered manually) and savings (it saves on the cost of mailing, copying, filing, distributing and capturing data).

1.3.3 EDI cannot function without standards. Among the standards necessary for doing EDI, those concerning message construction are similar to a language, consisting of a syntax, i.e. rules for structuring data elements in segments within a message, and a vocabulary of words (data elements directory). Differing EDI standards have developed to meet sectorial and national requirements for a speedy and successful implementation within closed groups, but implementation across national and sectorial boundaries (open EDI) is difficult, since partners have to be able to support, maintain and interpret several EDI standards at great expense and inconvenience.

1.3.4 To remedy this, for more than ten years the UN/ECE WP.4 has been developing essential standards covering data elements, codes and syntax rules for EDI. UN/EDIFACT, the result of this development, provides the world market with the necessary ingredients for constructing EDI messages, as well as with complete standard message types (UNSMs) for business data interchange.[5]

1.3.5 It is obvious that replacing paper documents by EDI messages does not change the basic trade requirements between partners in international trade transactions. The same fundamental functions should be fulfilled, and the partners will still be, through EDI, sending and receiving a purchase order, or declaring goods to Customs, or reserving space with a carrier and arranging payments. For international trade information flows, it is the way in which data are transferred that will permit substantial procedural rationalization, and a more efficient trade, as is already the case e.g. in the framework of community systems largely based on the use of information technology, including EDI. In some countries, this may necessitate changes in laws and regulations, e.g. for permitting the replacement of traditional paper documents, Customs declarations, etc. by electronic messages, or for giving such messages the same legal value as that of a paper document.

1.4 CARGO/GOODS REQUIREMENTS

1.4.1 Each sector in the international trade cycle needs to identify consignments uniquely; for example Customs need to know precisely which goods have been declared for examination and control purposes; port authorities, container depot operators and wharfingers need to know exactly which goods they have authority to deliver from their charge; shipping lines need to itemize and account for goods which they carry; importers and exporters need to know precisely which of their goods are in transit and for which to arrange for carriage and handling payments.

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[5] See in particular Group D (Measures relating to promotion and use of standards), and Group E (Measures relating to the use of computers and EDI) in Section IV

1.4.2 Currently it is rare in ports and container depots for a single consignment reference to appear on both the cargo and the associated documentation as a unique identifier. It is important that those who handle or examine goods are able to recognize and separate one consignment from another. The marks and numbers together with the description and the number of packages fulfil the requirement.

1.4.3 As a result, regardless of the mode of transport, goods moved internationally by conventional methods still require physical markings which are also reproduced in related documents and transmitted as data elements in EDI. The purpose of a shipping mark is to identify cargo and help in moving it rapidly, smoothly and safely, without delays or confusion, to its final destination and to enable the checking of cargo against documents. However, in many instances marks have become so lengthy and detailed that the sides of packages themselves can no longer hold them or can they be understood. The result is unnecessary costs, mistakes, confusion and shipment delays.

1.4.4 Shipping marks differ widely between countries and between modes of transport. With the increasing volume of international trade, the advent of multimodal and combined transport, the growing need to manage such data (whether in paper based systems or using EDI) and with increasing costs consciousness, it is clear that simple and consistent standards should be applied for physical marking of goods. Such is the purpose of ECE/FAL Recommendation No. 15 "Simpler Shipping Marks"[6].

1.4.5 Linked closely to the need for a Simpler Shipping Mark is the requirement for a single referencing system. In international trade the different parties involved in a transaction each create and receive numerous references on documents, in shipping marks and EDI messages. The current referencing systems, while being purposeful to the generator, mean little or nothing to a third party who in turn generates its own reference. In an international trade transaction, up to thirty or more references can be generated, all of which are usually held in some form of data base. With the development of EDI, it becomes obvious that these many references are expensive to store and transfer, and a method has to be found to replace them.

1.4.6 To that effect, the UN/ECE WP.4 has developed in 1992 a (revised) ECE/FAL Recommendation No.8, the Unique Identification Code Methodology (UNIC), which proposes a method for referencing a transaction or consignment for the totality of its existence. It can be generated by either the buyer, the seller or provider of service and can be used by both official and commercial organizations. It complies with UN/EDIFACT and UN documentary standards and has the specific function of becoming the only reference in international and, potentially, national trade. The current Recommendation relies on existing codes and references issued by commercial coding agencies, official bodies such as fiscal or statistical authorities, and trading companies themselves. The system is totally generic and can be bar-coded with the appropriate symbologies[7].

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[6] See Recommendation C.2 in Section IV

1.5 OFFICIAL REQUIREMENTS

1.5.1 Many of the documents and procedures required in international trade have been devised by commercial interests to meet their own commercial requirements. Even when they are out of date or inappropriate for changed circumstances (e.g. changes in transport methods), they are at least designed to facilitate trade, whereas government requirements, and the documentation and procedures which stem from them, have diverse aims and the facilitation of trade may not be their primary purpose. However, in many countries, the trade may be aware of an almost continuous process review, in particular by Customs, to meet the demands of new methods of trade and transport and to increase the efficiency and effectiveness of control services. This results in part from a progressive implementation of the provisions of the Kyoto Convention of the Customs Co-operation Council[8], and also from the introduction of automated systems like the UNCTAD ASYCUDA, or of Customs EDI facilities, in an always increasing number of countries.

1.5.2 Customs agencies tend to be responsible for the application of a wide variety of measures the basic policies of which are determined by other government departments. For instance, they enforce exchange control regulations and import and export restrictions and prohibitions; they ensure compliance with certain public health regulations; they compile trade statistics and collect certain levies on behalf of other agencies.

1.5.3 Willingness by Customs to modify their requirements in no way relieves exporters of their obligation to make accurate declarations for exported goods, and importers of their obligation to ensure the speedy release of the goods by meeting the necessary detailed Customs requirements for information and documents. In many countries now, Customs are willing to accept telex or telefaxed information, either in lieu of packing lists or as temporary substitute for an invoice, and will release imported goods accordingly. Nevertheless, errors by importers continually hinder the swift clearance of goods. Analysis of representative samples of import entries show that some 20-30 per cent of them are incorrect in at least one respect. Typical errors are omission of essential information, incorrect tariff or statistical classification, and failure to produce supporting documents. Again, the use of the aligned system of documents and of EDI should ensure such occasions are reduced.

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[7] See Recommendation C.1

[8] See Section III, Sources

1.5.4 These errors can have a considerable effect on the service Customs are able to provide. For instance, trader performance is often taken into consideration by Customs for granting greater facilities and accelerated procedures. Such facilities include Customs clearance undertaken at the traders' premises, based on qualifying criteria of movement and trader performance, or simpler Customs documentation linked to audit based controls.

1.5.5 Harmonization of Customs data in the area of product classification has been achieved by the introduction of the CCC International Convention on the Harmonized Commodity Description and Coding System (HS). The HS was created to meet a vital and pressing need for a single classification system which would respond to the basic commodity description and coding requirements of the entire international trade community. Countries using the HS account for over 85% of world trade. However, one of the basic objectives of the HS, with its multi-purpose features, is to apply the classification code outside the Customs environment, i.e. to ensure its application not only by Customs and statisticians but also by commercial interests such as traders, carriers and producers. This objective is far from being attained, and every effort should be made to ensure that this genuine business opportunity is not lost.[9]

1.6 PAYMENT PROCEDURES

1.6.1 Payment is an essential parameter in international trade. The method of payment and its efficiency is influenced not only by commercial practices but also, in some countries, by government policy.

1.6.2 Methods of payment are sometimes not as efficient as they should be because of exchange control regulations imposed by the government in the country of import, or because traders are not fully conversant with the implications of certain methods, or because they wish to over protect the payment. These restrictions are generally counter productive and result in deterring rather than encouraging trade.

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[9] See Recommendations D.7 and N.16 in Section IV

1.6.3 One of the most widely used methods is the Letter of Credit (L/C). The Documentary Credit system which has been in use for over a hundred and fifty years was introduced to provide payment against proper presentation of documents. L/Cs are used for consignments of both very low and very high value, even though for low value consignments this method is not always economically justifiable.

1.6.4 The requirements for a L/C vary considerably throughout the world, the more difficult cases being associated with developing countries. For example, a credit from one of those countries could well be expected to consist of four pages of requirements, which must be strictly adhered to, and are often contradictory.[10]

1.6.5 Research in the United Kingdom has also indicated that in over 50% of cases, the documents which had to be presented to secure settlement were rejected on first presentation because of defects or errors which made them unacceptable according to the terms of credit. Not surprising, this was found largely to be due to reliance on manual processing and the rewriting or rekeying of information.

1.6.6 Credit requirements are also affected by interpretation of language. This is especially evident where, under the terms of the credit, transhipment is prohibited. Although defined in the Uniform Customs and Practice for Documentary Credits (UCP) of the International Chamber of Commerce (ICC), the term transhipment is sometimes interpreted in different ways, and this can result in the credit being void. Similar difficulties may be caused by misunderstandings between buyer and seller. Frequently the buyer will specify a condition, e.g. "shipped on deck", which may have a particular interpretation to him whilst to the seller it has a conflicting meaning. If parties do not agree on the conditions beforehand, the discrepancy may come to light at the time of presentation to the bank when the possibility for amendment is limited. Although the ICC has produced the above mentioned UCP (recently revised and issued as "UCP 500")[11], some countries insist on referring to their standard banking practice, which is specific to that country and often not definitive.

1.6.7 As well as methods of payment, the methods of remittance of funds are also important. These methods range from the S.W.I.F.T. Express Money Transfers (EMTs) to postal cheques, and delays in the system vary considerably. It is not untypical for a payment transfer to take up to thirty days and, in interest costs alone, it can amount to a considerable sum. From a buyer's standpoint remittance times are not beneficial as the sum has already been removed from his account. All major banks openly state that it is not their policy to retard money transfers nor retain traders' money any longer than absolutely necessary. Nevertheless, in almost all international trade transactions where money passes from buyer to seller, more than one bank is involved in the money transfer and delays occur, which are often caused by technological flaws or human error.

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[10] See Recommendation O.1 in Section IV

[11] The UCP 500 are referred to on various occasions in Group O (Measures relating to payment procedures) in Section IV

1.6.8 Delays can be reduced by using efficient and fast remittance systems such as EMTs, but the cost for using these systems could be prohibitive: At present it would not be economical to use EMTs for sums of less than USD 10,000 as the cost would exceed the benefits. This directly affects international trade efficiency and has particular implications for the smaller international trader who relies heavily on cash flow.

1.6.9 An additional and very frequent cause for delays stems from strict Exchange Control regulations in a number of countries, which impose certain payment methods (like the compulsory use of L/Cs whilst other more flexible methods such as bills of exchange or open accounts could be used in many instances, e.g. when the transaction takes place between established and trusted partners). Mandatory requirements in letter of credit payments, e.g. the requirement for PSI, may result in additional delays when the Inspection Certificate is not issued or transmitted in time by the Inspection company. In practice, such official requirements may be particularly onerous to the trader and do impede trade information flows. They can actively discourage trade with certain countries where the requirements are too stringent. It would obviously be beneficial for these countries to study how their legitimate objective, i.e. to protect their scarce resources in hard currencies and, in some instances, to control the repatriation of export proceeds, could be attained through methods that would not delay normal payments between trade partners.

1.7 CONCLUSION

1.7.1 In the same manner as the speed of a convoy is determined by that of the slowest truck or ship, or the strength of a chain by that of its weakest link, trade efficiency cannot be reached if one operator in the transaction chain does not operate efficiently. This goes for both private parties and government agencies controlling the movement of goods in international trade.

1.7.2 It is therefore essential that trade procedures and practices are governed by universally agreed basic principles and norms that could be applied by all participants in the transaction, irrespective of their methods of intervention and the degree of sophistication of their information management systems. There is no doubt that the use of electronic techniques for information transfer, and in particular EDI, will significantly contribute to a more efficient trade; however, it should be realized that this objective will be attained only if the basic procedures are in order in the exporting as well as the importing country.

1.7.3 Tools for devising efficient procedures are available in the form of standards, recommended practices, model procedures, etc. The Compendium of Trade Facilitation Recommendations includes a comprehensive list of such practical measures. Although there are no up-to-date indications concerning their acceptance, nor the extent to which they are actually implemented in the individual countries, it is well known that most of these tools are extensively used in a large number of countries at various levels of development; they have proven their efficiency. Many of them are fundamental for the streamlining of international trade procedures; their generalized application would be a formidable step forward towards more efficient trade through better practices.

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SECTION II- SUMMARY OF RECOMMENDATIONS BY GROUP

In this Section, brief descriptions of the Recommendations contained in this Compendium are shown under the following groups:

A. General provisions to facilitate trade

B. Measures relating to official controls

C. Measures relating to transport

D. Measures relating to the promotion and use of standards

E. Measures relating to the use of computers and EDI

F. Measures relating to availability of information

G. Measures relating to Customs operations generally

H. Measures relating to Customs and other official procedures concerning the means of transport and transport equipment, including containers

I. Measures relating to official requirements for imported goods

J. Measures relating to Customs clearance of exports

K. Measures relating to the origin of the goods

L. Measures relating to transhipment goods

M. Measures relating to goods in international transit

N. Measures relating to commercial trade practices

O. Measures relating to payment procedures

Following each brief description is a note of the source, to which reference may be made for any additional information required beyond that contained in this Compendium. (Sources are described in Section III).

Recommendations are listed more than once when the subject matter falls into the scope of more than one Group. In this case, a cross reference is shown in brackets after the reference identifying the recommendation.

Within each Group, the Recommendations are grouped into three categories:

I - Formalities, i.e. the official, commercial, institutional, operational requirements;
II - Procedures, i.e. the steps to be followed in order to comply with formalities,or the way in which the required information reaches the party concerned;
III - Documents, i.e. the data carriers which contain the information.

Group A - General provisions to facilitate trade

I FORMALITIES

A.1	Establishment of a national focal point for trade facilitation	WP4 FAL
A.2	General bonds to cover Customs, immigration & health obligations	ICA

II PROCEDURES

A.3	Provision of simple cargo handling procedures	FAL
A.4	(B.11) Procedures to be as simple as possible	GAT
A.5	(B.13) Simple formalities for goods permits and licences	ICA

III DOCUMENTS

A.6	(D.19, J.11, N.26) Use of aligned trade documents (ISO 6422)	WP1

Group B - Measures relating to official controls

I. FORMALITIES

B.1	Fees charged to be commensurate with work involved	GAT
B.2	(O.2) Foreign exchange to be made available on same basis for licensed and unlicensed imports	GAT
B.3	Import of licensed goods not be refused for minor variations in value, weight or quantity	GAT
B.4	(M.15) No medicosanitary inspection for transit if no contamination risk	HAR
B.5	(M.16) No veterinary inspection for transit if no contamination risk	HAR
B.6	(M.17) No phytosanitary inspection for transit if no contamination risk	HAR

II. PROCEDURES

B.7	(I.17) Co-ordination of controls	HAR ICA KCB1
B.8	Adequate resources for control services	HAR
B.9	(M.21) Co-operation between adjacent countries: joint controls	HAR
B.10	(M.22) Co-operation between adjacent countries: co-ordinated controls	HAR
B.11	(A.4) Procedures to be as simple as possible	GAT
B.12	Licence application procedures to be as simple as possible	GAT
B.13	(A.5) Simple formalities for goods permits and licences	ICA
B.14	Licence application processing period to be as short as possible	GAT
B.15	Selective phytosanitary, sanitary and veterinary inspections	WP18

III DOCUMENTS

B.16	Licence application forms to be as simple as possible	GAT
B.17	Use of aligned official forms	WP1
B.18	Limitation on requests for copies of documents	WP12
B.19	Sanitary and other documents to be simple, widely publicized and standardized	FAL
B.20	(D.20, N.25) Aligned inspection certificates	WP18

Group C - Measures relating to transport

I FORMALITIES

C.1	(N.5) Use of a unique identification code (UNIC)	WP8
C.2	(N.10) Simpler shipping marks	WP15
C.3	(D.17) Standards for movement of dangerous goods	WP18
C.4	(F.1) Information relating to dangerous goods	WP11
C.5	(H.1) Single comprehensive security from shipowners	FAL
C.6	(H.2) Minimum Customs formalities for means of transport	KCA3
C.7	(H.5) Temporary importation of means of transport	KCA3
C.8	(H.8) Duty on destroyed or damaged means of transport	KCA3
C.9	(H.22) No prior authentication of means of transport documents	KCA3
C.10	(H.23) No prior authentication of ship and cargo documents	FAL
C.11	(H.24) Authentication of documents	FAL
C.12	(H.9) Minimum formalities at second port of call	FAL

II PROCEDURES

C.13	(H.14) Minimization of time vessel in port	FAL
C.14	(H.16) Minimization of dwell-time of air cargo	ICA
C.15	(H.15) Grant of pratique by radio	FAL

III DOCUMENTS

C.16	Use of dangerous goods declaration	WP11
C.17	(H.21) Limited documents required on ship's arrival	FAL
C.18	(H.25) Use of general declaration	FAL
C.19	(H.26) Same form of general declaration for arrival and departure	FAL
C.20	(H.27) Information required on general declaration	FAL
C.21	(H.28) Authentication of general declaration	FAL
C.22	(H.29) Reduced number of copies of declaration of arrival	KCA3
C.23	(H.30) Number of copies of general declaration (5)	FAL
C.24	(H.31) Use of cargo declaration for arrival and departure	FAL
C.25	(H.32) Separate advice of dangerous goods	FAL
C.26	(H.33) Information required on cargo declaration	FAL
C.27	(H.10) Limited information about cargo remaining on board	FAL
C.28	(H.34) Number of copies of cargo declaration	FAL
C.29	(H.35) Authentication of cargo declaration	FAL ICA
C.30	(H.36) Manifest in lieu of cargo declaration	FAL ICA
C.31	(H.37) Separate advice of unmanifested parcels	FAL
C.32	(H.38) Acceptance of B/L as alternative to cargo declaration	FAL
C.33	(H.39, N.40) Use of standard manifest	ICS
C.34	(H.40) No departure cargo declaration for cargo remaining on board	FAL
C.35	(H.17) Correction of inadvertent errors without delay to ship	FAL
C.36	Use of model arrival forms	IMO
C.37	No general declaration for air transport	ICA
C.38	Use of ICAO standard general declaration if one required	ICA
C.39	Declaration on manifest should be accepted	ICA
C.40	Agent or pilot may sign declaration	ICA

C.41	No passenger manifest to be required for air transport	ICA
C.42	Use of standard passenger manifest if one required	ICA
C.43	Standard manifest for air cargo	ICA
C.44	Nature of goods not to be shown on standard manifest	ICA
C.45	Minimum documentation for aircraft arrival/departure	ICA
C.46	Arrival/departure documents not required for internal stops, only on arrival from and departure to abroad	ICA
C.47	(N.28) Use of blank-back forms	WP12
C.48	(N.29) Use of shipper-provided forms	WP12
C.49	Limitation on requests for copies of transport documents	WP12
C.50	(N.32, O.6) Acceptance of short form documents for L/C purposes	WP18
C.51	Use of Standard Bill of Lading	ICS
C.52	(N.34) Use of sea waybill in preference to bill of lading	WP12
C.53	(N.35) Issue of single original bill of lading	WP12
C.54	(E.23, N.18) Preparation of bills of lading at destination by ADP	WP18
C.55	(N.41) Use of Standard Consignment Instructions	WP22

Group D - Measures relating to promotion and use of standards

I FORMALITIES

D.1	Standards and certification systems should not create obstacles to trade	GAT
D.2	Use of international standards	GAT
D.3	Official adoption of international country codes (ISO 3166)	WP3
D.4	Official adoption of agreed location codes	WP16
D.5	(N.3) Use of trade data elements internationally (ISO 7372)	TDED
D.6	(N.4) In-house use of standard data elements	WP18
D.7	(N.16) Use of international commodity codes	HS
D.8	(N.6) Use of international country codes (ISO 3166)	WP3
D.9	(N.7) Use of international currency codes (ISO 4217)	WP9
D.10	(N.8) Use of INCOTERMS abbreviations	WP5
D.11	(N.9) Use of codes for dates, times, periods of time (ISO 8601)	WP7
D.12	(N.11) Commercial use of location codes	WP16
D.13	(N.12) Use of PAYTERMS abbreviations	WP17
D.14	(N.13) Use of codes for modes of transport	WP19
D.15	(N.14) Use of codes for units of measurement	WP20
D.16	(N.15) Use of packaging codes	WP21
D.17	(C.3) Standards for movement of dangerous goods	WP18
D.18	Use of freight codes	WP23

III DOCUMENTS

D.19	(A.6, J.11 N.26) Use of aligned trade documents (ISO 6422)	WP1
D.20	(B.20, N.25) Aligned inspection certificates	WP18

Group E - Measures relating to the use of computers and EDI

I FORMALITIES

E.1	Basic principles for introduction of EDI	ICA
E.2	Participation by operators to be optional	ICA
E.3	National legislation to cater for computerized procedures	KCJ1 WP13
E.4	(F.15) Continuous liaison Customs - national ADP services	KCJ1
E.5	(F.14) Customs administrations to exchange ADP information	KCJ1
E.6	Study use of ADP to facilitate air freight	ICA
E.7	Encouragement of use of EDI	ICA
E.8	Air cargo EDI info requirements to be limited to functional need	ICA
E.9	(F.7) ADP tariff files, etc. to be available to user	KCJ1
E.10	Review legal rules re use of computer records as evidence	ITL
E.11	Use of Electronic Data Interchange for Administration, TDID Commerce and Transport (EDIFACT) standards for message construction including use of United Nations Trade Data Interchange Directory (TDID) (EDIFACT Syntax: ISO 9735)	
E.12	Use of Uniform Rules of Conduct for Interchange of Trade Data by Teletransmission (UNCID)	ICC

II PROCEDURES

E.13	Customs to maximize use of ADP techniques	KCJ1
E.14	Customs computer systems to use international standards	KCJ1
E.15	Review Customs manual procedures before computerizing	KCJ1
E.16	Customs to provide data interchange with trade users	KCJ1
E.17	(I.34) Customs to use ADP selection criteria	KCJ1

III DOCUMENTS

E.18	(O.8) Acceptance of authentication without signature	WP14
E.19	(I.45) Acceptance of ADP-prepared goods declarations	WP18
E.20	Acceptance by Customs of ADP invoices	WP18 ICA
E.21	(I.27) Periodic import declarations by ADP	WP18
E.22	Acceptance of ADP-prepared cargo manifest	ICA
E.23	(C.54, N.18) Preparation of bills of lading at destination by ADP	WP18
E.24	Review legal rules that certain documents be in writing	ITL
E.25	Review legal rules for handwritten signature, etc. to permit electronic authentication	ITL
E.26	Review legal requirements to allow submission of computer-readable documents to governments	ITL

Group F - Measures relating to information

I FORMALITIES

F.1	(C.4) Information relating to dangerous goods	WP11
F.2	Availability of trade regulations	GAT
F.3	Availability of standards	GAT
F.4	Changes in rules to be published promptly	GAT
F.5	Publicity for official tariff, information on clearance procedures, etc	KCG1
F.6	Provision by Customs of information of a specific nature	KCG1
F.7	(E.9) ADP tariff files, etc. to be available to user	KCJ1
F.8	Information on medicosanitary inspection requirements	HAR
F.9	Information on veterinary inspection requirements	HAR ICA
F.10	Information on phytosanitary inspection requirements	HAR ICA
F.11	Information on technical standards requirements	GAT HAR
F.12	Information on quality controls	HAR
F.13	Customs to give information on duties and taxes, valuation and procedures	KCG1
F.14	(E.5) Exchange of ADP info between Customs administrations	KCJ1
F.15	(E.4) Exchange of ADP info between Customs and other parties	KCJ1

II PROCEDURES

F.16	Customs to give information on clearance procedure	KCB1

III DOCUMENTS

F.17	Customs to supply information to assist completion of goods declaration	KCB1

Group G - Measures relating to Customs operations generally

I FORMALITIES

G.1	Inward processing use of equivalent domestic goods	KCE6
G.2	Duty free importation of goods equivalent to usage for export	KCE7
G.3	Temporary importation of special handling equipment	KCA3

II PROCEDURES

G.4	(M.22) Correlation of business hours at borders	HAR KCB1
G.5	(M.23) Opening hours at border crossings	WP18
G.6	No substantial penalties for minor breaches of regulations	GAT

Group H - Measures relating to Customs and other official procedures concerning the means of transport and transport equipment including containers

I FORMALITIES

H.1	(C.5) Single comprehensive security from shipowners	FAL
H.2	(C.6) Minimum Customs formalities for means of transport	KCA3
H.3	Use of foreign containers in internal traffic	CCO
H.4	Acceptance of foreign containers for temporary admission	CCO
H.5	(C.7) Temporary importation of means of transport	KCA3
H.6	Temporary admission for replacement parts for containers	CCO
H.7	Temporary admission for accessories and equipment for containers	CCO
H.8	(C.8) Duty on destroyed or damaged means of transport	KCA3
H.9	(C.12) Minimum formalities at second port of call	ICA
H.10	(C.27) Limited information about cargo remaining on board	FAL
H.11	(I.10) No duty on air transport ground equipment	ICA
H.12	(I.11) No duty on air transport training equipment	ICA
H.13	(M.12) Acceptance of foreign Customs seals on containers	TIR

II PROCEDURES

H.14	(C.13) Minimization of time vessel in port	FAL
H.15	(C.15) Grant of pratique by radio	FAL
H.16	(C.14) Minimization of dwell-time of air cargo	ICA
H.17	(C.35) Correction of inadvertent errors	FAL
H.18	No penalties for inadvertent errors	FAL
H.19	Undocumented temporary importation of foreign containers	CCO
H.20	Undocumented temporary importation of vehicles or containers containing goods under TIR	TIR

III DOCUMENTS

H.21	(C.17) Limited documents required on ship's arrival	FAL
H.22	(C.9) No prior authentication of means of transport documents	KCA3
H.23	(C.10) No prior authentication of ship and cargo documents	FAL
H.24	(C.11) Authentication of documents	FAL
H.25	(C.18) Use of general declaration	FAL
H.26	(C.19) Same form of general declaration for arrival and departure	FAL
H.27	(C.20) Information required on general declaration	FAL
H.28	(C.21) Authentication of general declaration	FAL
H.29	(C.22) Reduced number of copies of declaration of arrival	KCA3
H.30	(C.23) Number of copies of general declaration (5)	FAL
H.31	(C.24) Use of cargo declaration for arrival and departure	FAL
H.32	(C.25) Separate advice of dangerous goods	FAL
H.33	(C.26) Information required on cargo declaration	FAL
H.34	(C.28) Number of copies of cargo declaration	FAL
H.35	(C.29) Authentication of cargo declaration	FAL ICA
H.36	(C.30) Manifest in lieu of cargo declaration	FAL ICA
H.37	(C.31) Separate advice of unmanifested parcels	FAL
H.38	(C.32) Acceptance of B/L as alternative to cargo declaration	FAL

H.39	(C.33, N.40) Use of standard manifest	ICS
H.40	(C.34) No departure declaration for cargo remaining on board	FAL

Group I - Measures relating to official requirements for imported goods

I FORMALITIES

I.1	Minimum Customs control of imported goods	KCA1 WP13
I.2	(I.42) Minimum use of preshipment inspection (PSI)	WP18
I.3	Avoidance of repetitive PSI for similar goods	WP
I.4	General security for goods in temporary store	KCA2
I.5	No security if Customs control temporary store	KCA2
I.6	No duty on goods destroyed in temporary store	KCA1
I.7	Duty relief on goods damaged in temporary store	KCA1
I.8	Customs not to require transport document	WP18
I.9	No penalty for inadvertent declaration errors	KCB1
I.10	(H.11) No duty on air transport ground equipment	ICA
I.11	(H.12) No duty on air transport training equipment	ICA

II PROCEDURES

I.12	Designated offices for Customs clearance	KCB1
I.13	Imported air cargo of low value and weight not to need clearance documents or duty payment	ICA
I.14	Use of inspection services in importing country	WP
I.15	High threshold for preshipment inspection	WP
I.16	Duration in temporary store	KCA2
I.17	(B.7) Simultaneous Customs, veterinary and phytosanitary controls	ICA HAR KCB1
I.18	Simpler port and border clearance en route to Inland Clearance Depots(ICDs)	WP18
I.19	Immediate release to importer's premises	WP13 WP18
I.20	Clearance at importer's premises	WP18
I.21	Person to make declaration	KCB1
I.22	Responsibilities and rights of declarant	KCB1
I.23	Acceptance of declaration before arrival of goods	KCB1 ICA
I.24	Customs to give information on clearance procedure	KCB1
I.25	No separate declaration for samples taken	KCB1
I.26	Periodic home use declarations	KCB1
I.27	(E.21) Periodic import declarations by ADP	WP18
I.28	Abolition of consular invoices and fees	WP18 GAT ICA
I.29	Prompt examination of goods	KCB1
I.30	Priority examination of live animals, perishables, etc	KCB1 ICA
I.31	Selective examination of goods	KCB1 ICA
I.32	Clearance by summary examination whenever possible	KCB1
I.33	Detailed examination by selective methods	KCB1 ICA
I.34	(E.17) Customs to use ADP selection criteria	KCJ1
I.35	Duty payment by means other than cash	KCB1
I.36	Deferred duty payments	WP18 KCB1
I.37	Proof of duty payment to be issued	KCB1
I.38	Refund of overpayments	KCB1

III DOCUMENTS

I.39	Reduce documentary requirements	ICA
I.40	Simplified Customs documentation for air cargo up to specified value or weight	ICA
I.41	Commercial invoice the basic document	ICA
I.42	(I.2) Preshipment inspection certificates to be issued by official control bodies in exporting country	WP18
I.43	Alignment of Customs import goods declarations	WP18 KCB1 ICA
I.44	Number of copies of goods declaration	KCB1
I.45	(E.19) Acceptance of ADP-prepared goods declarations	WP18
I.46	Provisional declaration if all data not available	KCB1 ICA
I.47	Elimination of special Customs invoices	WP18
I.48	Acceptance by Customs of one-run, ADP or EDI invoices	WP18
I.49	No packing list if information on invoice	WP18
I.50	Customs or other official information not to be required on AWB	ICA

Group J - Measures relating to the Customs clearance of exports

I FORMALITIES

J.1	Evidence of arrival abroad not normally required	KCC1
J.2	Certified cargo manifest not to be evidence of arrival abroad	ICA

II PROCEDURES

J.3	Acceptance of goods declarations at inland offices	KCC1
J.4	Clearance at any approved Customs office	ICA
J.5	Periodic export declarations	KCC1
J.6	No export delay for minor information omission	KCC1
J.7	Whenever possible, no export examination	ICA
J.8	Minimum examination of exports	KCC1 ICA
J.9	Loading up to time of aircraft departure	ICA

III DOCUMENTS

J.10	Waive presentation of individual documents	ICA
J.11	(A.6, D.19, N.26) Alignment of documents with United Nations Layout key (ISO 6422)	ICA
J.12	Limitation of documents to simple export declaration	ICA
J.13	Number of copies of export declaration	KCC1

Group K - Measures relating to the origin of the goods

I	FORMALITIES		
K.1	No unnecessary certification of origin	KCD2	WP18
K.2	Certification on invoice when possible		WP18
K.3	Acceptance of declaration of origin		KCD2
K.4	Minimization of requirements for marks of origin		GAT
K.5	Information on origin requirements		KCD2

II	PROCEDURES		
K.6	Documentary control only		WP18

III	DOCUMENTS		
K.7	Alignment of certificates of origin	KCD2	WP18
K.8	Certificates of origin on plain paper		WP18

Group L - Measures relating to transhipment goods

I	FORMALITIES	
L.1	No duty on transhipped goods	KCE2
L.2	Declarant to choose form of security	KCE2
L.3	General security for regular transhipments	KCE2

II	PROCEDURES	
L.4	No duty on destroyed transhipment goods	KCE2
L.5	Reduced duty if goods damaged and not exported	KCE2
L.6	Normally no examination of transhipments	KCE2
L.7	Normally no escort of transhipments	KCE2

Group M - Measures relating to goods in international transit

I FORMALITIES

M.1	Freedom of transit to be allowed	GAT
M.2	No distinction based on flag, origin, ownership, etc.	GAT
M.3	No unnecessary delays or restrictions	GAT
M.4	Exemption from Customs duties	GAT KCE1 TIR
M.5	Charges for transport commensurate with expenses	GAT
M.6	Charges for administrative services commensurate with expenses	GAT
M.7	Flat rate bonds for transit goods	TIR
M.8	No routine calculation of duty on transit goods	TIR
M.9	TIR Transit regime valid for all modes of transport	TIR
M.10	Declarant to choose form of security	KCE1
M.11	General security for several transit operations	KCE1
M.12	(H.13) Acceptance of foreign Customs seals on containers	CCO KCE1
M.13	Acceptance of approved foreign containers	CCO KCE1
M.14	Normally no technical standards controls	HAR
M.15	(B.4) Normally no medico-sanitary inspection	HAR
M.16	(B.5) Normally no veterinary inspection	HAR
M.17	(B.6) Normally no phytosanitary inspection	HAR
M.18	Normally no quality controls	HAR
M.19	No duty on transit goods accidentally lost or destroyed	KCE1

II PROCEDURES

M.20	Priority clearance of transit goods	WP18
M.21	(B.9) Shared facilities and joint controls at borders	HAR
M.22	(B.10,G.4) Correlation of business hours at borders	HAR KCE1
M.23	(G.5) Opening hours at border crossings	WP18
M.24	Limitation of inspection	HAR TIR
M.25	Normally no escort of transit goods	KCE1 TIR
M.26	Normally no need for prescribed itinerary	KCE1
M.27	On completion, discharge of security without delay	KCE1

III DOCUMENTS

M.28	Commercial or transport document as descriptive part of transit declaration	KCE1

Group N - Measures relating to commercial trade practices

I. FORMALITIES

N.1	Use of standard trade terms	WP18
N.2	Use of standard conditions of sale	WP18
N.3	(D.5) Use of trade data elements internationally (ISO 7372)	TDED
N.4	(D.6) In-house use of standard data elements	WP18
N.5	(C.1) Use of Unique Identification Code (UNIC)	WP8
N.6	(D.8) Use of international country codes (ISO 3166)	WP3
N.7	(D.9) Use of international currency codes (ISO 4217)	WP9
N.8	(D.10) Use of INCOTERMS abbreviations	WP5
N.9	(D.11) Use of codes for dates, times, periods of time (ISO 8601)	WP7
N.10	(C.2) Use of simpler shipping marks	WP15
N.11	(D.12) Use of location codes	WP16
N.12	(D.13) Use of PAYTERMS abbreviations	WP17
N.13	(D.14) Use of codes for modes of transport	WP19
N.14	(D.15) Use of codes for units of measurement	WP20
N.15	(D.16) Use of packaging codes	WP21
N.16	(D.7) Commercial use of harmonized system commodity codes	HS

II PROCEDURES

N.17	Limitation on requests for copies of documents	WP12
N.18	(C.54, E.23) Preparation of bills of lading at destination by ADP	WP18
N.19	Early despatch of shipping advices	WP18
N.20	Timely notice of arrival, aligned	WP18

III DOCUMENTS

N.21	Simpler insurance documentation	WP18
N.22	Use of aligned invoice layout key	WP6
N.23	Alignment of insurance documents	WP18
N.24	Alignment of sea waybills and bills of lading	WP18
N.25	(B.20, D.20) Aligned inspection applications and certificates	WP18
N.26	(A.6, D.19, J.11) Use of UNLK aligned trade documents (ISO 6422)	WP1
N.27	Alignment of in-house documents	WP18
N.28	(C.47) Use of blank-back forms	WP12
N.29	(C.48) Use of shipper-provided forms	WP12
N.30	Use of multi-service forms	WP12
N.31	(O.5) Bank acceptance of one-run documents	WP18
N.32	(C.50, O.6) Acceptance of short form documents for L/C purposes	WP18
N.33	Use of dangerous goods declaration	WP11
N.34	(C.52) Use of sea waybill in preference to bill of lading	WP12
N.35	(C.53) Issue of single original bill of lading	WP12
N.36	Inclusion of packing instructions in order	WP18
N.37	Combination of delivery instructions with order	WP18
N.38	Document distribution advice with despatch or shipping advice	WP18
N.39	Elimination of separate forwarding instructions	WP18
N.40	(C.33, H.39) Use of standard cargo manifest	ICS
N.41	(C.55) Use of Standard Consignment Instructions	WP22

Group O - Measures relating to payment procedures

I FORMALITIES

O.1	Avoidance of excessive detail in credits	ICC WP18
O.2	(B.2) Foreign exchange to be made available on same basis for licensed and unlicensed imports	GAT

II PROCEDURES

O.3	Authenticated teletransmission deemed operative credit/amendment unless qualified	ICC
O.4	Despatch of operative credit/amendment without delay after qualified teletransmission	ICC

III DOCUMENTS

O.5	(N.31) Bank acceptance of one-run systems	WP18
O.6	(C.50, N.32) Acceptance of short form documents for L/C purposes	WP18
O.7	Bank acceptance of photocopied, carbon copies and ADP produced documents	ICC
O.8	(E.18) Acceptance of signature by facsimile, perforation, stamp, symbol, mechanical or electronic method of authentication	ICC
O.9	Copies do not need to be signed	ICC
O.10	Acceptance of alternative documents when credit calls for bill of lading	ICC
O.11	Limited acceptance of transhipment when credit prohibits	ICC
O.12	Acceptance of alternative documents when credit calls for non-negotiable sea waybill	ICC
O.13	Acceptance of alternative documents when credit calls for charter party bill of lading	ICC
O.14	Acceptance of alternative documents when credit calls for multimodal transport document	ICC
O.15	Acceptance of alternative documents when credit calls for air transport documents	ICC
O.16	Acceptance of alternative documents when credit calls for road, rail or inland waterway transport document	ICC
O.17	Acceptance of post receipt or certificate of posting (conditions)	ICC
O.18	Acceptance of courier receipt (conditions)	ICC
O.19	Limited acceptance of freight forwarder issued transport document	ICC
O.20	Commercial invoices need not be signed	ICC
O.21	Acceptance of weight certificate on transport document	ICC
O.22	Acceptance of goods description on general terms	ICC

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CCO Customs Convention on Containers, 1972 (Customs Co-operation Council)

The objective of the Convention is the development and facilitation of international carriage by container. This convention is similar to, and will eventually supersede, the Customs Convention on Containers, 1956 (ECE). It lays down standards for the construction of containers, an approval system, and provides container temporary importation and repair facilities with minimum formalities. Containers approved under the Convention will be accepted for the transport of goods under Customs seal.

FAL Convention on the Facilitation of International Maritime Traffic, 1965 (International Maritime Organization)

Contracting Governments undertake to facilitate and expedite international maritime traffic and to prevent unnecessary delays to ships and to persons and property on board. Measures facilitate the arrival, stay and departure of ships of coastal and non-coastal contracting States by simplifying and reducing to a minimum the formalities, documentary requirements and procedures. This includes all documents pertaining to the ship and its passengers, baggage, crew, cargo and mail which are required by Customs, Immigration, Health, and other public authorities.

GATT General Agreement on Tariffs and Trade

The 1969 text of the General Agreement incorporates the amendments which became effective in 1958 following the introduction of Part IV on Trade and Development which has been accepted by nearly all contracting parties. Some 95 countries have become contracting parties, including all the industrialized (OECD) countries and some 70 developing countries. Articles of the Agreement which are relevant for trade facilitation include Article V, dealing with transit; Article VII, concerning valuation of goods for Customs purposes; Article VIII, dealing with the simplification of documentary requirements; and Article X, concerning the publication and availability of regulations, etc. relating to the classification of goods, valuation, rates of duty, restrictions, prohibitions, etc.

The following Recommendations agreed upon by the Contracting Parties to GATT are also relevant:

1. Recommendations on Certificates of Origin (23 October 1953 and 17 November 1956).
2. Code of Standard Practices for Documentary Requirements for the Importation of Goods (7 November 1952).
3. Recommendations on the Abolition of Consular Formalities (7 November 1952, 30 November 1957 and 31 October 1962).

In the framework of the Uruguay Round of Negotiations, an Agreement on Preshipment Inspection has been agreed to on a provisional basis.

The GATT Agreement on Technical Barriers to Trade (also known as the Standards Code) aims to ensure that when governments or other bodies adopt technical regulations or standards (including packaging, labelling and marking requirements, and methods of certifying conformity with technical regulations and standards), for reasons of safety, health, consumer or environmental protection, or other purposes, these should not create unnecessary obstacles to trade. It also provides for measures of assistance to developing countries in the application of technical regulations and standards. The Agreement on Technical Barriers to Trade entered into force on 1 January 1980. In the framework of the Uruguay Round of Negotiations, a number of modifications to the Agreement were agreed to on a provisional basis in 1991.

HAR International Convention on the Harmonization of Frontier Control of Goods, 1982 (UN/ECE)

The Convention aims at reducing the requirements for completing formalities as well as the number and duration of controls, in particular through national and international co-ordination of control procedures and of their methods of application. Annexes to the Convention deal with the following types of control: Customs; Medico-sanitary; Veterinary; Phyto-sanitary; Technical standards; Quality.

HS International Convention on the Harmonized Commodity Description and Coding System (1983) (Customs Co-operation Council)

The objectives of the Convention include the facilitation of international trade, the standardization of trade documentation and the transmission of data. The collection, comparison and analysis of trade statistics are facilitated by reducing the expense incurred in redescribing, reclassifying and recoding goods from one classification to another.

ICA Convention on International Civil Aviation, 1944 (as amended) (International Civil Aviation Organization)

The Contracting Parties have agreed on certain principles and arrangements in order that international civil aviation may be developed in a safe and orderly manner, that international air transport services may be established on the basis of equality of opportunity, and operated soundly and economically.

Annex 9 of the Convention (Ninth Edition, applicable on 15 November 1990) deals with the facilitation of air traffic. Chapter 4 of the annex entitled "Entry and Departure of Cargo and Other Articles" includes standards and recommended practices designed to facilitate international movement of goods by air.

ICC International Chamber of Commerce

The ICC is a non-governmental organization serving world business. Thousands of companies and business organizations in 110 countries are members. It represents the world business community at national and international levels, promotes world trade and investment based on free and fair competition, harmonizes trade practices, and formulates terminology and guidelines for importers and exporters.

Uniform Customs and Practice for Documentary Credits

Documentary credits have become a standard means of settling payment for imports and exports throughout the world. For many years virtually all documentary credit operations have been carried out in accordance with the Uniform Customs and Practice for Documentary Credits (UCP). The most recent version (UCP 500) has been approved by the Banking Commission in March 1993. The implementation date will be 1 January 1994.

Uniform Rules of Conduct for Interchange of Trade Data by Teletransmission (UNCID)

In September 1987, the ICC Executive Board adopted the UNCID rules, which aim at facilitating the interchange of trade data effected by teletransmission, through the establishment of agreed rules of conduct between parties engaged in such transmission.

The UNCID rules are included in the United nations Trade Data Interchange Directory (see below TDID).

ICS International Chamber of Shipping (ICS)

The International Chamber of Shipping is a voluntary association of national organizations founded on the basis of private enterprise and representing shipowners in various countries. Its object is to enable shipping, through international agreement amongst shipowners, to fulfil its primary function - the provision of cheap and efficient sea transport and the development of the freedom of the sea. Its concern is to secure the removal of all unnecessary restrictions on world trade and world sea transport.

The ICS Standard Bill of Lading, aligned to the UN Layout Key, is used worldwide as a basis for the design of B/L forms. The ICS model layout for a standard manifest combines, as far as possible, the requirements of both manual and mechanical methods for document preparation.

KC International Convention on the Simplification and Harmonization of Customs Procedures (Kyoto), 1973 (Customs Co-operation Council)

The Kyoto Convention is designed to overcome barriers to international trade that could be created by the diversity and complexity of Customs procedures and documentation in the various countries. The Convention has 31 technical Annexes, each dealing with a specific Customs procedure or activity. Contracting parties undertake to promote the simplification and harmonization of Customs procedures, and, to that end, to conform with the Standards and Recommended Practices contained in the Annexes, but nothing prevents a contracting party from granting greater facilities. A contracting party must accept at least one Annex.

In Section II above, the reference to the Kyoto Convention (KC) is followed by the indication of the technical Annex concerned (e.g. KCE1 for Annex E1 to the Convention).

ITL United Nations Commission on International Trade Law (UNCITRAL)

UNCITRAL was created in 1966 by the UN General Assembly in order to enable the United Nations to play a more active role in reducing or removing legal obstacles to the flow of international trade. The mandate given by the General Assembly to UNCITRAL, as the "Core legal body within the United Nations system in the field of international trade law", was to further the progressive harmonization and unification of the law of international trade.

At its eighteenth session held in June 1985, UNCITRAL adopted a recommendation on legal value of computer records which addresses some of the legal aspects of automatic interchange of trade data. On 11 December 1985, the UN General Assembly adopted Resolution 40/71 in which it commended UNCITRAL for its Recommendation and called upon Governments and international organizations to take action in conformity with the Commission's recommendation.

TDED United Nations Trade Data Elements Directory (UNTDED)

Jointly issued by UN/ECE and UNCTAD, the Directory includes the standard data elements and codes agreed by the UN/ECE/Working Party on Facilitation of International Trade Procedures (WP.4), and which are intended to facilitate the interchange of data in international trade. They can be used individually but they are mostly used within messages such as those conforming to the EDIFACT syntax rules. Data elements extracted from UNTDED are included in the EDIFACT Data Elements Directory (EDED).

Sections 1, 2, 3, 4 and 9 of UNTDED constitute International Standard ISO 7372.

TDID United Nations Trade Data Interchange Directory (UNTDID)

UN/EDIFACT (the United Nations rules for Electronic Data Interchange for Administration, Commerce and Transport) comprise a set of internationally agreed standards, directories, and guidelines for the electronic interchange of structured data, and in particular those related to trade in goods and services, between independent computerized information systems.

Recommended within the framework of the United Nations, the rules are approved and published by UN/ECE in the UNTDID and are maintained under agreed procedures.

UNTDID includes:

- the EDIFACT syntax rules (ISO 9735);
- Message Design Guidelines;
- Syntax Implementation Guidelines;
- the EDIFACT Data Elements Directory, EDED (a subset of UNTDED)

- the EDIFACT Code List, EDCL;
- the EDIFACT Composite Data Elements Directory, EDCD;
- the EDIFACT Standard Segments Directory, EDSD;
- the EDIFACT UN Standard Messages Directory, EDMD;
- Uniform Rules of Conduct for the Interchange of Trade Data by Teletransmission (UNCID);
- Explanatory material, as appropriate.

TIR Customs Convention on the International Transport of Goods under cover of TIR Carnets, 1975 (UN/ECE)

The Convention applies to the transport of goods in road vehicles, combinations of vehicles or in containers, across one or more frontiers, provided that some portion of the journey between the beginning and the end of the TIR operation is made by road. The TIR system is based on the following basic rules:

- The goods must travel in secure (agreed) vehicles or containers;
- Duties and taxes at risk in the transit country must be covered by an internationally valid guarantee;
- The goods must be accompanied by an internationally accepted Carnet;
- Customs control measures (e.g. seals affixed) taken in the country of departure should be accepted by the countries of transit and destination.

WP UN/ECE/Working Party on Facilitation of International Trade Procedures (followed by recommendation number; no number indicates current working document)

The Working Party is a worldwide forum for intergovernmental co-operation to reach a consensus on priorities and policies in trade facilitation work and to develop Recommendations for the simplification and standardization of international trade formalities and procedures. The results of its work include aligned trade documents, the UN Trade Data Elements Directory (UNTDED), the UN Trade Data Interchange Directory (UNTDID, which contains the syntax rules and directories for EDI for Administration, Commerce and Transport, UN/EDIFACT), and other formal recommendations.

- The Recommendations of the Working Party are jointly issued by UN/ECE and UNCTAD.

- Depending on the subject matter, the Recommendations of the Working Party are addressed to governments, to international or national organizations active in the field of international trade, or to companies involved in such activities.

- Several Recommendations issued by the Working Party are based on International Standards issued by the International Organization for Standardization (ISO), or have been endorsed by ISO and issued as International Standards. This is mentioned in the title, and, whenever relevant, in the text of individual recommendations, for example D.3 (use of trade data elements internationally, ISO 7372); D.6 (use of international country codes, ISO 3166); E.11 (use of EDIFACT standards, ISO 9735), etc.

The following Recommendations have been adopted by the Working Party:

-	Rec. No.1	United Nations Layout Key for Trade Documents, June 1973
-	Rec. No.2	Location of codes in documents used in international trade, June 1973
-	Rec. No.3	ISO country code - code for representation of names of countries, October 1974
-	Rec. No.4	National Trade Facilitation Organs - Arrangements at the national level to co-ordinate work on facilitation of trade procedures, October 1974
-	Rec. No.5	Abbreviations of INCOTERMS - Alphabetic code for Incoterms 1990, October 1974, revised May 1990
-	Rec. No.6	Aligned Invoice Layout Key for International Trade, September 1975, revised September 1983
-	Rec. No.7	Numerical representation of dates, time and periods of time, September 1975, revised September 1988
-	Rec. No.8	Unique Identification Code Methodology - UNIC, March 1992 (Supersedes Rec. on Common Access Number, February 1978)
-	Rec. No.9	Alphabetic code for the representation of currencies, February 1978
-	Rec. No.11	Documentary aspects of the international transport of dangerous goods, February 1978
-	Rec. No.12	Measures to facilitate maritime transport documents procedures, March 1979 (under revision)
-	Rec. No.13	Facilitation of identified legal problems in import clearance procedures, March 1979
-	Rec. No.14	Authentication of trade documents by means other than signature, March 1979
-	Rec. No.15	Simpler Shipping Marks, September 1979, revised March 1987
-	Rec. No.16	LOCODE - Code for ports and other locations, September 1980
-	Rec. No.17	PAYTERMS - Abbreviations for terms of payment, September 1980, revised March 1982
-	Rec. No.18	Facilitation measures related to international trade procedures, September 1981, revised September 1982
-	Rec. No.19	Code for Modes of Transport, March 1981
-	Rec. No.20	Code for Units of Measurement used in international trade, March 1985
-	Rec. No.21	Codes for types of cargo, packages and packaging materials (with complementary codes for package names), March 1986
-	Rec. No.22	Layout Key for Standard Consignment Instructions, March 1989
-	Rec. No.23	Freight Cost Code - FCC - Harmonization of the description of freight costs and other charges, March 1990

SECTION IV - TEXT OF THE RECOMMENDATIONS

IMPORTANT NOTE

This Compendium includes references to, and extracts from,international instruments. The contents of this Compendium should not be considered as a substitute for use of the full text these instruments. Reference should in all cases be made to the full text which constitutes the only valid source for official use.

Group A - General provisions to facilitate trade

I. FORMALITIES

A.1 Establishment of a national focal point for trade facilitation

Working Party on Facilitation of International Trade Procedures, Recommendation No. 4(15). - ... it is necessary to create a framework for permanent consultation and co-operation between the various parties interested in facilitation of international trade.. (This) should include representatives from all relevant sectors of public administration as well as private interests concerned... i.e. manufacturers, importers, exporters, carriers, banks, insurance companies, freight forwarders, brokers and public administration.

Conference on Facilitation of Maritime Travel and Transport, 1965, Resolution III - Further to that Resolution, in August 1989, IMO issued guidelines for the establishment and operation of national facilitation committees. They recommend the establishment of a body consisting of the main interests concerned with facilitation, including government clearing agencies, such as immigration, Customs, consular, passport and visa, public health, agriculture, security and narcotics control; other governmental agencies including postal services, tourism and trade departments; port authorities; shipowners and operators; shipping and freight forwarders and agents.

A.2 General bonds to cover Customs, immigration and health obligations

Convention on International Civil Aviation, Annex 9 (8.1) Recommended Practice - If a Contracting State requires bonds of an operator to cover his liabilities under the Customs, immigration, public health, animal and plant quarantine, or similar laws of the State, it should permit the use of a single comprehensive bond whenever possible.

II PROCEDURES

A.3 Provision of simple cargo handling procedures

Convention on Facilitation of International Maritime Traffic, 1965, Annex B(2.12.1) Recommended Practice - Public authorities should, with the co-operation of shipowners and port administrations, take appropriate measures to the end that satisfactory port traffic flow arrangements are provided so that handling and clearance procedures for cargo will be smooth and uncomplicated.

A.4 (B.11) Procedures to be as simple as possible

General Agreement on Tariffs and Trade, Article VIII (1) (c) - The contracting parties also recognize the need for minimizing the incidence and complexity of import and export formalities and for decreasing and simplifying import and export documentation requirements.

A.5 (B.13) Simple formalities for goods permits and licences

Convention on International Civil Aviation, Annex 9(4.12) - A Contracting state which continues to require export licences or permits for certain types of goods shall establish simple procedures whereby such licences or permits can be obtained or renewed rapidly.

Convention on International Civil Aviation, Annex 9(4.22) A Contracting State which continues to require import licences or permits for certain types of goods shall establish simple procedures whereby such licences or permits can be obtained or renewed rapidly.

III DOCUMENTS

A.6 (D.19, J.11, N.26) Use of aligned trade documents (ISO 6422)

Working Party on Facilitation of International Trade Procedures, Recommendations Nos. 1 and 2 (United Nations Layout Key for Trade Documents) paragraphs 15-17

15. The Recommendation on a layout key for trade documents aims at providing an international basis for the standardization of documents used in international trade and transport and for visual display representations of such documents.

16. The United Nations Layout Key for Trade Documents is intended for application in the designing of documents related to the various administrative, commercial, productive and distributive activities constituting external trade, whether these documents are completed in handwriting, by mechanical means such as typewriters and automatic printers, or by reproductive methods. It applies to documents describing individual consignments (or groupage consignments, e.g. container loads) rather than documents listing the total load of a means of transport (e.g. Ship's Cargo Manifests); regarding the latter type of document, the Layout Key can be applied for the goods description particulars. Although the Layout Key applies mainly to documents used in trade with goods, it can also in relevant parts be applied to transactions not involving goods.

17. The Layout Key is intended particularly as a basis for the designing of aligned series of forms employing a master document in a reprographic one-run method of document preparation; it can also be applied for the layout of visual display presentations in ADP applications.

Note:

- In 1984, the Working Party issued Guidelines for the Application of the United Nations Layout Key when Designing Trade Documents (TRADE/WP4/INF.93; TD/B/FAL/INF.93).
- In 1985, the ISO adopted International Standard ISO 6422 Layout Key for Trade Documents.

Group B - Measures relating to official controls

I FORMALITIES

B.1 Fees charged to be commensurate with work involved

General Agreement on Tariffs and Trade, Article VIII (1)(a) - All fees and charges of whatever character (other than import and export duties and other than taxes within the purview of Article III) imposed by contracting parties on or in connexion with importation or exportation shall be limited in amount to the approximate cost of services rendered and shall not represent an indirect protection to domestic products or a taxation of imports or exports for fiscal purposes.

B.2 (O.2) Foreign exchange to be made available on same basis for licensed and unlicensed imports

General Agreement on Tariffs and Trade, Agreement on Import Licensing Procedures, Article 1 (9) - The foreign exchange necessary to pay for licensed imports shall be made available to licence holders on the same basis as to importers of goods not requiring import licences.

B.3 Import of licensed goods not to be refused for minor variations in value, weight or quantity

General Agreement on tariffs and Trade, Agreement on Import Licensing Procedures, Article 1(8) -Licensed imports shall not be refused for minor variations in value, quantity or weight from the amount designated on the licence due to differences occurring during shipment, differences incidental to bulk loading and other minor differences consistent with normal commercial practice.

B.4 (M.15) No medicosanitary inspection for goods in transit if no contamination risk

International Convention on the Harmonization of Frontier Controls of Goods, 1982, Annex 2, Article 4 - Within the framework of Conventions in force the Contracting Parties shall, as far as possible, dispense with the medicosanitary inspection of goods in transit in those circumstances where there is no risk of contamination.

B.5 (M.16) No veterinary inspection for animal products in transit if no contamination risk

International Convention on the Harmonization of Frontier Controls of Goods, 1982, Annex 3, Article 5 - Within the framework of conventions in force the Contracting Parties shall, as far as possible, dispense with the veterinary inspection of animal products in transit in those circumstances where there is no risk of contamination.

B.6 (M.17) No phytosanitary inspection for goods in transit if no contamination risk

International Convention on the Harmonization of Frontier Controls of Goods, 1982, Annex 3, Article 5 - Within the framework of conventions in force the Contracting Parties shall, as far as possible, dispense with the phytosanitary inspection of goods in transit unless such measures are necessary for the protection of their own plants.

II PROCEDURES

B.7 (I.17) Co-ordination of controls

International Convention on the Harmonization of Frontier Controls of Goods, 1982, Article 4 - The Contracting Parties shall undertake, to the extent possible, to organize in a harmonized manner the intervention of the Customs services and the other control services.

Convention on International Civil Aviation, Annex 9 (4.28) Recommended Practice - Where the nature of the consignment calls for different clearance agencies, e.g. Customs and veterinary or phytosanitary controls, Contracting States should endeavour to delegate authority for clearance to one of the agencies or, where not feasible, take all necessary steps to ensure that clearance is carried out simultaneously and with a minimum of delay.

Kyoto Convention, Annex B.1 (34) Recommended Practice - If the goods must also be inspected by other competent authorities (for the purpose of applying veterinary, health, phytopathological, etc. controls), the Customs should, where practicable, perform their examination at the same time.

B.8 Adequate resources for control services

International Convention on the Harmonization of Frontier Controls of Goods, 1982, Article 5 - To ensure that the control services operate satisfactorily, the Contracting Parties shall see to it that, as far as possible, and within the framework of national law, they are provided with:

(a) qualified personnel in sufficient numbers consistent with traffic requirements;
(b) equipment and facilities suitable for inspection, taking into account the mode of transport, the goods to be checked and traffic requirements;
(c) official instructions to officers for acting in accordance with international agreements and arrangements and with current national provisions.

B.9 (M.21) Co-operation between adjacent countries: joint controls

International Convention on the Harmonization of Frontier Controls of Goods, 1982, Article 7- Whenever a common inland frontier is crossed, the Contracting Parties concerned shall take appropriate measures, whenever possible, to facilitate the passage of goods, and they shall, in particular:

(a) endeavour to arrange for the joint control of goods and documents, through the provision of shared facilities.

B.10 (M.22) Co-operation between adjacent countries: co-ordinated controls

International Convention on the Harmonization of Frontier Controls of Goods, 1982, Article 7- Whenever a common inland frontier is crossed, the Contracting Parties concerned shall take appropriate measures, whenever possible, to facilitate the passage of goods, and they shall, in particular:

(b) endeavour to ensure that the following correspond:
  - opening hours of frontier posts;
  - the control services operating there;
  - the categories of goods, the modes of transport and the international Customs transit procedures accepted or in use there.

B.11 (A.4) Procedures to be as simple as possible

General Agreement on Tariffs and Trade, Article VIII (1)(c) - The contracting parties also recognize the need for minimizing the incidence and complexity of import and export formalities and for decreasing and simplifying import and export documentation requirements.

B.12 Licence application procedures to be as simple as possible

General Agreement on Tariffs and Trade, Article 1(6) - Application procedures and, where applicable, renewal procedures shall be as simple as possible. Applicants shall have to approach only one administrative body ... in connexion with an application and shall be allowed a reasonable period therefor. In cases where it is strictly indispensable that more than one administrative body is to be approached in connexion with an application, these shall be kept to the minimum number possible.

B.13 (A.5) Simple formalities for goods permits and licences

Convention on International Civil Aviation, Annex 9(4.12) - A Contracting State which continues to require export licences or permits for certain types of goods shall establish simple procedures whereby such licences or permits can be obtained or renewed rapidly.

Convention on International Civil Aviation, Annex 9(4.22) - A Contracting State which continues to require import licences or permits for certain types of goods shall establish simple procedures whereby such licences or permits can be obtained or renewed rapidly.

B.14 Licence application processing period to be as short as possible

General Agreement on Tariffs and Trade, Agreement on Import Licensing Procedures, Article 3(g) -The period for processing of applications shall be as short as possible.

B.15 Selective phytosanitary, sanitary and veterinary inspections

Working Party on Facilitation of International Trade Procedures, Recommendation No.18, paragraph 9.10 - Whenever possible, the authorities concerned should undertake phytosanitary, sanitary, veterinary and similar controls without physical examination of every consignment. Where examination is required, officials should be available also when goods arrive outside legal hours, subject to the submission of a request to that effect not less than 24 hours prior to the arrival of the goods. Where special fees are charged for services outside legal hours they should correspond to the real costs.

III DOCUMENTS

B.16 Licence application forms to be as simple as possible

General Agreement on Tariffs and Trade, Agreement on Import Licensing Procedures, Article 1(5) - Applicable forms and, where applicable, renewal forms shall be as simple as possible. Such documents and information as are considered strictly necessary for the proper functioning of the licensing regime may be required on application.

B.17 Use of aligned official forms

Working Party on Facilitation of International Trade Procedures, Recommendations Nos. 1 and 2 (United Layout key for Trade Documents) paragraph 16 - The United nations Layout key for Trade Documents is intended for application in the designing of documents related to the ... administrative ... activities constituting external trade.

B.18 Limitation on requests for copies of documents

Working Party on Facilitation of International Trade Procedures, Recommendation No.12, paragraph 22 - All parties involved in international maritime transport, including shipping lines, shippers, agents, consignees, Customs and ports and other authorities, should limit their requests for copies of Bills of Lading and other maritime transport documents to those which are required absolutely.

B.19 Sanitary and other documents to be simple, widely publicized and standardized

Convention on Facilitation of International Maritime Traffic, 1965, Annex B(4.3) Recommended Practice - Where Sanitary Certificates or similar documents are required in respect of shipments of certain animals, plants or products thereof, such certificates and documents should be simple and widely publicized and Contracting Parties should co-operate with a view to standardizing such requirements.

B.20 (D.20, N.25) Aligned inspection certificates

Working Party on Facilitation of International Trade Procedures, Recommendation No.18, paragraph 8.1 - Control and inspection bodies should align their certificates and application forms to the United Nations Layout Key; if certificates cannot be aligned, the use of aligned application forms should be allowed.

Note:
- In March 1983, the Working Party adopted the following Resolution:

> The Working Party ...
>
> Noting that the application of international standards for the presentation of information required in international trade is an appropriate way of removing non-tariff barriers to trade that persist through lack of harmonization of relevant national standards;
> ...
>
> Drawing attention to the advantages of cost, speed and accuracy when using aligned trade documents in international trade procedures;
> ...
>
> Recommends that governments and interested international organizations adopt, or work towards the adoption of, as appropriate, aligned versions of phytosanitary certificates based on the aligned model forms (attached to the Resolution) for use in connection with the International Plant Protection Convention as revised in 1979, when the latter enters into force, that such certificates be accepted in import procedures, and that national competent authorities allow the use of aligned forms of application.

Group C - Measures relating to transport

I FORMALITIES

C.1 (N.5) Use of a unique identification code (UNIC)

Working Party on Facilitation of International Trade Procedures, Recommendation No.8/Rev. 1, -The Working Party... agreed to recommend

1. to the parties responsible for international trade transactions at different stages the use of a Unique Identification Code created in accordance with the provisions set out (in the body of the Recommendation No.8);

2. to Governments and national trade facilitation organs

2.1 - the promotion of the acceptance of the Unique Identification Code Methodology, e.g. by adopting it in relevant national official or private documentary procedures, including national series of standardized documents used in international trade, trade data interchange messages and, where possible, in the marking of shipments;

...

C.2 (N.10) Simpler Shipping Marks

Working Party on Facilitation of International Trade Procedures, Recommendation No. 15 - The Working Party ... recommends that Governments, international organizations and those engaged in the international movement and documentation of goods should:

(a) adopt a Standard Shipping Mark comprising Abbreviated name, Reference number, Destination, and Package number (as described in the Recommendation) and note opportunities for further simplification made possible in certain modes of transport; ...

(b) discontinue requirements, especially official requirements, for additional information on packages (e.g. Country of Origin, Import Licence No., Documentary Credit No.); where such information is still required, it should be separated from the Standard Shipping Mark on packages and should not be required as part of the mark when reproduced in documents;

(c) promote the indication on packages of the Gross Weight, in kilograms, but not of other weights or dimensions;

(d) adopt ISO Standards for cargo handling instructions and United Nations standards for danger warnings; and

(e) adopt the physical marking methods, practices and standards set out in (this) Recommendation.

C.3 (D.17) Standards for movement of dangerous goods

Working Party on Facilitation of International Trade Procedures, Recommendation No.18, paragraph 9.3 - National dangerous goods regulations should conform to international standards laid down in or derived from the Recommendations of the Committee of Experts on the Transport of Dangerous Goods of the United Nations Economic and Social Council. However, even when national regulations do not conform, dangerous goods moving under international regulations should be permitted to travel to their destination without further reclassification, documentation, labelling, placarding or packing.

C.4 (F.1) Information relating to dangerous goods

Working Party on Facilitation of International Trade Procedures, Recommendation No.11 - (1) The overall information requirements of dangerous goods documents should be harmonized, both for different modes of transport, and for different parties engaged in the transport of goods;

(2) In particular, the amount of information required to classify the goods should be standardized as: the correct technical name, hazard class/division, United Nations number and (when required) flashpoint. Other information about the goods should be derived by reference to this central core of information;

(3) A single form of words should be developed for the text of the legal declaration to meet fully the requirements of regulations and conventions governing different modes of transport;

(4) Transport emergency information should be provided in the form of standard, pre-printed tables for each substance, each table bearing as a key reference the United Nations number for that substance. The manual entry of additional related information or codes on documents should not be required.

C.5 (H.1) Single comprehensive security from shipowners

Convention on Facilitation of International Maritime Traffic, 1965, Annex B(5.1) Recommended Practice - Where public authorities require bonds or other forms of security from shipowners to cover liabilities under the Customs, immigration, public health, agricultural quarantine or similar laws and regulations of a State, they should permit the use of a single comprehensive bond or other form of security wherever possible.

C.6 (H.2) Minimum Customs formalities for means of transport

Kyoto Convention, Annex A.3(3) Standard - Customs formalities applicable to commercial means of transport shall be reduced to the minimum necessary to ensure compliance with the laws and regulations which the Customs are responsible for enforcing.

C.7 (H.5) Temporary importation of means of transport

Kyoto Convention, Annex A.3(6) Standard - Commercial means of transport, whether loaded or not, shall be allowed to be brought temporarily into a Customs territory conditionally relieved from payment of import duties and taxes and free of import prohibitions and restrictions. They must be intended for re-exportation without having undergone any change except normal depreciation due to their use, normal consumption of lubrication oils and fuel and necessary repairs.

Kyoto Convention, Annex A.3(7) Recommended Practice - No security or temporary importation document should be required for commercial means of transport.

Kyoto Convention, Annex A.3(8) Standard - Where the Customs authorities prescribe a time limit for the re-exportation of commercial means of transport, they shall take into account all the circumstances of the transport operations intended.

Kyoto Convention, Annex A.3(9) Recommended Practice - At the request of the person concerned, and for reasons deemed valid by the Customs authorities, the latter should extend any period initially fixed.

C.8 (H.8) Duty on destroyed or damaged means of transport

Kyoto Convention, Annex A.3(33) Standard- Temporarily imported commercial means of transport which are damaged, destroyed or irrecoverably lost by accident or *force majeure* while in the Customs territory, shall not be required to be re-exported but they may be:

(a) cleared for home use in their existing state as if they had been imported in that state;
(b) rendered commercially valueless under Customs control, without expense to the Revenue, any parts or materials salvaged being subject to the import duties and taxes to which such components are liable at the time when, and in the condition in which, they are presented; or
(c) with the consent of the Customs authorities, abandoned free of all expenses to the Revenue.

C.9 (H.22) No prior authentication of means of transport documents

Kyoto Convention, Annex A.3(25) Standard - No documents to be produced to or lodged with the Customs authorities in connexion with the arrival of commercial means of transport shall be required to be legalized, verified, authenticated or previously dealt with by any representatives abroad of the country into which commercial means of transport arrive.

(See also I.28 on the abolition of consular formalities.)

C.10 (H.23) No prior authentication of ship and cargo documents

Convention on Facilitation of International Maritime Traffic, 1965, **Annex B (2.16) Standard** - Public authorities of the country of any intended port of arrival, discharge, or transit shall not require any document relating to the ship, its cargo, stores, passengers, or crew,... to be legalized, verified, authenticated, or previously dealt with by any of their representatives abroad. This shall not be deemed to preclude a requirement for the presentation of a passport or other identity document of a passenger or crew member for visa or similar purposes.

(See also I.28 on the abolition of consular formalities.)

C.11 (H.24) Authentication of documents

Convention on Facilitation of International Maritime Traffic, 1965, **Annex B (2.2.3) Standard** - Public authorities shall accept a General Declaration dated and signed by the master, the ship's agent or some other person duly authorized by the master.

C.12 (H.9) Minimum formalities at second port of call

Convention of Facilitation of International Maritime Traffic, 1965, **Annex B (2.13) Recommended Practice** - Taking into account the procedures carried out on arrival of a ship at the first port of call in the territory of a State, the formalities and documents required by the public authorities at any subsequent port of call in that country visited without intermediate call at a port in another country should be kept to a minimum.

II PROCEDURES

C.13 (H.14) Minimization of time vessel in port

Convention on Facilitation of International Maritime Traffic, 1965, **Annex B(2.12) Recommended Practice** - Public authorities should, with the co-operation of shipowners and port administrations, take appropriate measures to the end that port time may be kept to a minimum and should provide satisfactory port traffic flow arrangements, should frequently review all procedures in connexion with the arrival and departure of ships including arrangements for embarkation and disembarkation, loading and unloading, servicing and the like.

C.14 (H.16) Minimization of dwell-time of air cargo

Convention on International Civil Aviation, **Annex** 9(4.29) - Contracting States, in co-operation with operators, airport authorities and other agencies concerned with the handling, clearance and forwarding of goods, shall take the necessary steps to reduce to a minimum the dwell-time of air cargo in airport cargo terminals.

C.15 (H.15) Grant of pratique by radio

Convention on Facilitation of International Maritime Traffic, 1965, Annex B(4.4) Recommended Practice - Public Authorities should whenever practicable authorize granting of pratique by radio to a ship when, on the basis of information received from it prior to its arrival, the health authority for the intended port of arrival is of the opinion that its arrival will not result in the introduction or spread of a quarantinable disease. Health authorities should as far as practicable be allowed to join a ship prior to entry of the ship into port.

III DOCUMENTS

C.16 Use of dangerous goods declaration

Working Party on Facilitation of International Trade Procedures, Recommendation No.11 - (5) Whenever possible, the dangerous goods declaration should be incorporated in, or combined with, an existing transport or cargo handling document;

(6) Where special separate forms are used for dangerous goods declarations (including standard forms contained in Recommendations, regulations, international Conventions and annexes thereto), they should be designed in accordance with the aligned recommended layout contained in (this) Recommendation;

(7) Regulations and Conventions should not preclude transmission of dangerous goods information by electronic and other automatic means and should be amended where necessary to acknowledge this possibility;

(8) A dangerous goods declaration supplied for one mode of transport should be valid for subsequent modes of transport in multimodal and combined transport movements;

(9) Where special additional documentary requirements exist, such as radioactive substances and in other circumstances, regulations and conventions should permit incorporation of the necessary data in the dangerous goods declaration itself, as an optional alternative to a separate document.

C.17 (H.21) Limited documents required on ship's arrival

Convention on Facilitation of International Maritime Traffic, 1965, Annex B (2.1) Standard - Public authorities shall not require for their retention, on arrival or departure of ships to which the Convention applies, any documents other than those covered by the present section. The documents in question are:

- General Declaration
- Cargo Declaration
- Ship's Stores Declaration
- Crew's Effects Declaration
- Crew List
- Passenger List

- The document required under the Universal Postal Convention for mail
- Maritime Declaration of Health.

C.18 (H.25) Use of general declaration

Convention on Facilitation of International Maritime Traffic, 1965, **Annex** B (2.2) Standard - The General Declaration shall be the basic document on arrival and departure providing information required by public authorities relating to the ship.

C.19 (H.26) Same form of general declaration for arrival and departure

Convention on Facilitation of International Maritime Traffic, 1965, **Annex** B (2.2.1) Recommended Practice - The same form of General Declaration should be accepted for both arrival and departure of a ship.

C.20 (H.27) Information required on general declaration

Convention on Facilitation of International Maritime Traffic, 1965, **Annex** B(2.2.2) Recommended Practice - In the General Declaration public authorities should not require more than the following information:

- Name and description of ship
- Nationality of ship
- Particulars regarding registry
- Particulars regarding tonnage
- Name of master
- Name and address of ship's agent
- Brief description of the cargo
- Number of crew
- Number of passengers
- Brief particulars of voyage
- Date and time of arrival, or date of departure
- Port of arrival or departure
- Position of the ship in the port.

C.21 (H.28) Authentication of General Declaration

Convention on Facilitation of International Maritime Traffic, 1965, **Annex** B(2.2.3) Standard - Public authorities shall accept a General Declaration dated and signed by the master, the ship's agent or some other person duly authorized by the master.

C.22 (H.29) Reduced number of copies of declaration of arrival

Kyoto Convention, **Annex** A.3(21) Standard - The Customs authorities shall reduce, as far as possible, the number of copies of the declaration of arrival required to be submitted to them.

C.23 (H.30) Number of copies of General Declaration (5)

Convention on Facilitation of International Maritime Traffic, 1965, Annex B (2.10) Standard - In respect of a ship's arrival in port, public authorities shall not require more than:

- 5 copies of the General Declaration
- 4 copies of the Cargo Declaration
- 4 copies of the Ship's Stores Declaration
- 2 copies of the Crew's Effects Declaration
- 4 copies of the Crew List
- 4 copies of the Passenger List
- 1 copy of the Maritime Declaration of Health.

Convention on Facilitation of International Maritime Traffic, 1965, Annex B (2.11) Standard - In respect of a ship's departure from port, public authorities shall not require more than:

- 5 copies of the General Declaration
- 4 copies of the Cargo Declaration
- 3 copies of the Ship's Stores Declaration
- 2 copies of the Crew List
- 2 copies of the Passenger List.

C.24 (H.31) Use of Cargo Declaration for arrival and departure

Convention on Facilitation of International Maritime Traffic, 1965, Annex B (2.3) Standard - The Cargo Declaration shall be the basic document on arrival and departure providing information required by public authorities relating to the cargo.

C.25 (H.32) Separate advice of dangerous goods

Convention on Facilitation of International Maritime Traffic, 1965, Annex B (2.3) Standard - The Cargo Declaration shall be the basic document on arrival and departure providing information required by public authorities relating to the cargo. However, particulars of any dangerous cargo may also be required to be furnished separately.

C.26 (H.33) Information required on Cargo Declaration

Convention on Facilitation of International Maritime Traffic, 1965, Annex B (2.3.1) Recommended Practice - In the Cargo Declaration public authorities should not require more than the following information:

(a) on arrival

- Name and nationality of ship
- Name of master
- Port arrived from
- Port where report is made
- Marks and numbers; number and kind of packages; quantity and description of the goods

- Bill of lading numbers for cargo to be discharged at the port in question
- Ports at which cargo remaining on board will be discharged
- Original ports of shipment in respect of goods shipped on through bills of lading

(b) on departure

- Name and nationality of ship
- Name of master
- Port of destination
- In respect of goods loaded at the port in question: marks and numbers; number and kind of packages; quantity and description of the goods
- Bill of lading numbers for cargo loaded at the port in question.

C.27 (H.10) Limited information about cargo remaining on board

Convention on Facilitation of International Maritime Traffic, 1965, Annex B (2.3.2.) Recommended Practice - In respect of cargo remaining on board, public authorities should require only brief details of the minimum essential items of information to be furnished.

C.28 (H.34) Number of copies of Cargo Declaration

Convention on Facilitation of International Maritime Traffic, 1965, Annex B (2.10) Standard - In respect of a ship's arrival in port, public authorities shall not require more than:

- 5 copies of the General Declaration
- 4 copies of the Cargo Declaration
- 4 copies of the Ship's Stores Declaration
- 2 copies of the Crew's Effects Declaration
- 4 copies of the Crew List
- 4 copies of the Passenger List
- 1 copy of the Maritime Declaration of Health.

Convention on Facilitation of International Maritime Traffic, 1965, Annex B(2.11) Standard - In respect of a ship's departure from port, public authorities shall not require more than:

- 5 copies of the General Declaration
- 4 copies of the Cargo Declaration
- 4 copies of the Ship's Stores Declaration
- 2 copies of the Crew List
- 2 copies of the Passenger List

C.29 (H.35) Authentication of Cargo Declaration

Convention on International Civil Aviation, Annex 9(2.4.2) - When a Contracting State has eliminated the Passenger Manifest and no longer requires the General Declaration (except for purposes of attestation) it shall accept, at the option of the operator, either a General Declaration or an appropriate attestation, signed by the authorized agent or pilot-in-command, on one page only of the Cargo Manifest. The attestation on the Cargo Manifest can be provided by means of a rubber stamp.

Convention on Facilitation of International Maritime Traffic, 1965, Annex B(2.3.3) Standard - Public authorities shall accept a Cargo Declaration dated and signed by the master, the ship's agent or some other person duly authorized by the master.

C.30 (H.36) Manifest in lieu of Cargo Declaration

Convention on International Civil Aviation, Annex 9 (2.4.2) - When a Contracting State has eliminated the Passenger Manifest and no longer requires the General Declaration (except for purposes of attestation) it shall accept, at the option of the operator, either a General Declaration or an appropriate attestation, signed by the authorized agent or pilot-in-command, on one page only of the Cargo Manifest. The attestation on the Cargo Manifest can be provided by means of a rubber stamp.

Convention on Facilitation of International Maritime Traffic, 1965, Annex B (2.3.4) Recommended Practice - Public authorities should accept in place of the Cargo Declaration a copy of the ship's manifest provided it contains all the information required in accordance with Recommended Practices 2.3.1 (C.26) and 2.3.2 (C.27) and is dated and signed in accordance with Standard 2.3.3 (C.29).

C.31 (H.37) Separate advice of unmanifested parcels

Convention on Facilitation of International Maritime Traffic, 1965, Annex B (2.3.5) Recommended Practice - Public authorities should allow unmanifested parcels in possession of the master to be omitted from the Cargo Declaration provided that particulars of these parcels are furnished separately.

C.32 (H.38) Acceptance of bill of lading as alternative to Cargo Declaration

Convention on Facilitation of International Maritime Traffic, 1965, Annex B (2.3.4) Recommended Practice - As an alternative, public authorities may accept a copy of the bill of lading signed in accordance with Standard 2.3.3 (C.29) or certified as a true copy, if the nature and quantity of cargo makes this practicable and provided that any information in accordance with Recommended Practices 2.3.1 (C.26) and 2.3.2 (C.27) which does not appear in such documents is also furnished elsewhere and duly certified.

C.33 (H.39, N.40) Acceptance of standard manifest

International Chamber of Shipping Standard Manifest Report and Recommendation, paragraph 2 - It is considered advantageous to have a model layout for a standard manifest for three main reasons: (a) Mechanization, (b) Simplification, (c) Facilitation.

C.34 (H.40) No departure cargo declaration for cargo remaining on board

Convention on Facilitation of International Maritime Traffic, 1965, Annex B (2.11.1) Recommended Practice - A new Cargo Declaration should not be required on departure from a port in respect of cargo which has been the subject of a declaration on arrival in that port and which has remained on board.

C.35 (H.17) Correction of inadvertent errors without delay to ship

Convention on Facilitation of International Maritime Traffic, 1965, Annex B (5.2) Standard - Public authorities shall, without delaying the ship, allow corrections of errors in a document provided for in (this) Annex, which they are satisfied are inadvertent, not of a serious nature, not due to recurrent carelessness and not made with intent to violate the laws or regulations, on the condition that these errors are discovered before the document is fully checked and the corrections can be effected without delay.

C.36 Use of model arrival forms

Convention on Facilitation of International Maritime Traffic, 1965. The six Model Forms developed by (the then) IMCO were adopted in their final form by the Sixth Assembly of IMCO and recommended for universal use by Resolution A.194 (VI) of 29 October 1969.

C.37 No general declaration for air transport

Convention on International Civil Aviation, Annex 9 (2.4) - Contracting States shall not require the presentation of the General Declaration when this information can be readily obtained in an alternative and acceptable manner.

C.38 Use of ICAO standard General Declaration if one required

Convention on International Civil Aviation, Annex 9(2.4.1) - A Contracting State which continues to require the presentation of a General Declaration shall limit its requirements to the items and shall follow the format set forth in Appendix I (to Annex 9) - General Declaration.

C.39 Declaration on manifest should be accepted

Convention on International Civil Aviation, Annex 9(2.4.2) - When a Contracting State has eliminated the Passenger Manifest and no longer requires the General Declaration (except for purposes of attestation) it shall accept, at the option of the operator, either a General Declaration or an appropriate attestation, signed by the authorized agent or pilot-in-command, on one page only of the Cargo Manifest. The attestation on the Cargo Manifest can be provided by means of a rubber stamp.

C.40 Agent or pilot may sign declaration

Convention on International Civil Aviation, Annex 9(2.4.3) - A Contracting State which continues to require the presentation of the General Declaration shall accept it when signed by either the authorized agent or the pilot-in-command, but may, when necessary, require the health section thereof to be signed by a crew member when the General Declaration itself has been signed by a non-crew member.

C.41 No passenger manifest to be required for air transport

Convention on International Civil Aviation, Annex 9(2.6) - Contracting States shall not normally require the presentation of a Passenger Manifest, but when this type of information is required it may also be provided in an alternative and acceptable manner.

C.42 Use of standard passenger manifest if one required

Convention on International Civil Aviation, Annex 9(2.6) - Contracting States shall not normally require the presentation of a Passenger Manifest, but when this type of information is required it may also be provided in an alternative and acceptable manner.

Note: - If the type of information referred to in (Annex 9) 2.6 above is required, it should be limited to the items shown in the format of a Passenger Manifest set forth in Appendix 2 (to Annex 9), i.e. operator, marks of nationality and registration, flight number, date, point of embarkation (place), point of disembarkation (place), surname and initials (of passenger).

C.43 Standard manifest for air cargo

Convention on International Civil Aviation, Annex 9(2.8) - A Contracting State which continues to require the presentation of a Cargo Manifest shall, apart from the information indicated in the heading of the format of the Cargo Manifest set forth in Appendix 3 (to Annex 9), not require more than the following three items:

a) the air waybill number;
b) the number of packages related to each air waybill number; and
c) the nature of the goods.

The Cargo Manifest shall be accepted either when it follows the above-mentioned format, or a clear and understandable format adapted to electronic data-processing techniques.

Note: - It is part of the intention of this provision that, for the purpose of reporting air cargo on arrival to the authorities, operators be given the following options subject to the agreement of the governments concerned:

a) submission of the Cargo Manifest as per Appendix 3 (to Annex 9) when prepared by the station of loading abroad;

or

b) preparation and submission of the Cargo Manifest on arrival on the basis of shipments actually landed; or

c) submission of the information required in the Cargo Manifest in a different way, such as direct transmission into a computer, teletype listings, or one copy of the air waybill per shipment.

C.44 Nature of goods not to be shown on standard manifest

Convention on International Civil Aviation, Annex 9 (2.8.1) Recommended Practice - Contracting States should dispense with the requirement for information concerning the nature of goods in the Cargo Manifest. A Contracting State should require the information listed on the Manifest only once.

C.45 Minimum documentation for aircraft arrival/departure

Convention on International Civil Aviation, Annex 9(2.3) - No document, other than those provided for in this Chapter (i.e. Chapter 2. Entry and departure of aircraft), shall be required by the public authorities from operators for the entry and departure of aircraft.

Note: - It is part of the intention of this provision that standard forms shall not be varied by the inclusion of national markings thereon.

C.46 Arrival/departure documents not required for internal stops, only on arrival from and departure to abroad

Convention on International Civil Aviation, Annex 9(2.17) - Contracting States shall not require documents or procedures for entry or departure of aircraft which are different from or in excess of those prescribed in this Chapter (i.e. Chapter 2. Entry and departure of aircraft) in the case where aircraft stop at two or more international airports within their territories without intermediate landing in the territory of another State.

C.47 (N.28) Use of blank-back forms

Working Party on Facilitation of International Trade Procedures, Recommendation No.12, paragraph 16 - Forms for Sea Waybills and Bills of Lading should not carry contract clauses or any other print on the reverse side of the form. The required reference to applicable terms and conditions should be made in a special clause on the obverse side of the form; these terms and conditions should be made available separately. Common blank-back Sea Waybills and Bills of Lading are in all respects equal to traditional types of documents with clauses on the back.

C.48 (N.29) Use of shipper-provided forms

Working Party on Facilitation of International Trade Procedures, Recommendation No.12, paragraph 20 - Shippers should be entitled to provide forms for Sea Waybills and Bills of Lading in a neutral presentation, i.e. without pre-printed indication of the name of the carrier, provided that the name of the actual carrier (and - if required - his principal place of business) is entered in connexion with the completion of the document, in the place and in the manner suggested by the ICS in its Recommendations for Standard Bills of Lading (1972). (See C.51 below.)

C.49 Limitation on requests for copies of transport documents

Working Party on Facilitation of International Trade Procedures, Recommendation No. 12, paragraph 22 - All parties involved in international maritime transport, including shipping lines, shippers, agents, consignees, Customs and ports and other authorities, should limit their requests for copies of Bills of Lading and other maritime transport documents to those which are required absolutely.

C.50 (N.32, O.6) Acceptance of short form documents for L/C purposes

Working Party on Facilitation of International Trade Procedures, Recommendation No. 18, paragraph 4.2 - The ICC Uniform Customs and Practice for documentary Credits state that short form documents are acceptable unless otherwise specified in the Documentary Credit. Importers should ensure that instructions are not given for documentary credits to contain the clause "Short form documents not acceptable".

C.51 Use of Standard Bill of Lading

International Chamber of Shipping, Standard Format of Bills of Lading, Definitive version, 1972 -In the knowledge that the ECE Layout Key has been adopted by many countries ... and that the use of documents based on this layout is being continually extended, shipowners are recommended to adopt bills of lading based on the revised ICS Standard Bill of Lading. ...

C.52 (N.34) Use of sea waybill in preference to bill of lading

Working Party on Facilitation of International Trade Procedures, Recommendation No.12, paragraph 13 - All interested parties, i.e. exporters, importers, carriers, banks and insurers and the relevant national authorities and international organizations, should endeavour to minimize the use of negotiable transport documents and encourage the use of alternative simpler sea waybill or other non-negotiable transport document which does not have to be surrendered at destination to secure delivery of the goods.

C.53 (N.35) Issue of single original bill of lading

Working Party on Facilitation of International Trade Procedures, Recommendation No.12, paragraph 15 - To the extent that negotiable Bills of Lading continue to be required, e.g. in the case of documentary credits, only one original should be requested and issued. If a single original negotiable Bill of Lading is lost, similar procedures should apply as in the event of loss of any other document of title.

C.54 (E.23, N.18) Preparation of bills of lading at destination by ADP

Working Party on Facilitation of International Trade Procedures, Recommendation No.18, paragraph 7.3 - To avoid delays and demurrage caused by the need to send documents by mail, facilities should be developed for the preparation of Bills of Lading in the country of destination, using automatic data processing and transmission.

C.55 (N.41) Use of Standard Consignment Instructions

Working Party on Facilitation of International Trade Procedures, Recommendation No.22 - The Working Party ...

Recommends that the layout key (appended to the present recommendation) be used as a basis for the design of standard consignment instructions intended to convey instructions from either a seller/consignor or a buyer/consignee to a freight forwarder, carrier or his agent, or other provider of service, enabling the movement of goods and associated activities.

Group D - Measures relating to promotion and use of standards

I. FORMALITIES

D.1 Standards and certification systems should not create obstacles to trade

GATT Agreement on Technical Barriers to Trade, Article 2

- 2.1 Parties shall ensure that technical regulations and standards are not prepared, adopted or applied with a view to creating obstacles to international trade ... They shall likewise ensure that neither technical regulations nor standards themselves nor their application have the effect of creating unnecessary obstacles to international trade.

D.2 Use of international standards

GATT Agreement on Technical Barriers to Trade, Article 2

- 2.2 Where technical regulations or standards are required and relevant international standards exist or their completion is imminent, Parties shall use them, or the relevant parts of them, as a basis for the technical regulations or standards except where ... such international standards or relevant parts are inappropriate for the Parties concerned ...

D.3 Official adoption of international country codes (ISO 3166)

Working Party on Facilitation of International Trade Procedures, Recommendation No.3 - The Working Party ... recommends that the two-letter alphabetic codes referred to in the International Standard ISO 3166 as "ISO ALPHA-2 Country Code" should be used for representing the names of countries for purposes of International Trade whenever there is a need for a coded alphabetical designation.

D.4 Official adoption of agreed location codes

Working Party on Facilitation of International Trade Procedures, Recommendation No.16 - The Working Party ... recommends that the five-letter alphabetic code system described should be used for purposes of international trade to designate location whenever there is a need for a coded alphabetical designation for representing the names of ports, airports, inland freight terminals and other locations where Customs clearance of goods can take place, or otherwise proposed by Governments.

D.5 (N.3) Use of trade data elements internationally (ISO 7372)

United Nations Trade Data Elements Directory (TDED), paragraph 1.1 - The standard data elements included in the Directory are intended to facilitate interchange of data in international trade. These standard data elements can be used with any method of data interchange, on paper documents as well as with other means of data communication; they can be selected for transmission one by one, or used within a particular system of interchange rules, e.g. the United Nations syntax rules for Electronic Data Interchange For Administration, Commerce and Transport (UN/EDIFACT) developed within the ECE and published as International Standard ISO 9735. Sections 1, 2, 3, 4 and 9 of the Directory constitute International Standard ISO 7372.

D.6 (N.4) In-house use of standard data elements

Working Party on Facilitation of International Trade Procedures, Recommendation No.18, paragraph 1.1- Standard data elements selected from the ECE/UNCTAD Trade Data Elements Directory (TDED) or from corresponding national directories should be used to the extent possible in in-house documentary procedures related to international trade transactions.

D.7 (N.16) Use of international commodity codes

International Convention on the Harmonized Commodity Description and Coding System, Article 3(1)(a) - Each Contracting Party undertakes .... that .... its Customs tariff and statistical nomenclatures shall be in conformity with the Harmonized System.

D.8 (N.6) Use of international country codes (ISO 3166)

Working Party on Facilitation of International Trade Procedures, Recommendation No.3 - The Working Party ... recommends that the two-letter alphabetic codes referred to in the International Standard ISO 3166 as "ISO ALPHA - Country Code" should be used for representing the names of countries for purposes of International Trade whenever there is need for a coded alphabetical designation.

D.9 (N.7) Use of international currency codes (ISO 4217)

Working Party on Facilitation of International Trade Procedures, Recommendation No.9 - The Working Party ... agreed to recommend that Governments ... , international organizations concerned, as well as other participants in international trade, should:

(a) accept and use the three-letter alphabetic codes of International Standard ISO 4217, "Codes for the representation of currencies and funds", for application in international trade; and

(b) encourage their use in commercial transactions when currencies are expressed in coded or abbreviated form.

D.10 (N.8) Use of INCOTERMS abbreviations

Working Party on Facilitation of International Trade Procedures Recommendation No.5 - The Working Party ... recommends that the abbreviations of the trade terms ... be accepted and used by governments and international organizations whenever these trade terms are referred to in abbreviated form and that their general acceptance and use is promoted.

D.11 (N.9) Use of codes for dates, times, periods of time (ISO 8601)

Working Party on Facilitation of International Trade Procedures, Recommendation No.7 - The Working Party ... recommended Governments and international organizations to accept and use, and to promote the general acceptance of, the methods set out of expressing dates, time and periods of time, whenever these data are to be used in numerical form in international trade.

D.12 (N.11) Commercial use of location codes

Working Party on Facilitation of International Trade Procedures, Recommendation No.16 - The Working Party ... recommends that the five-letter alphabetic code system described should be used for purposes of international trade to designate location whenever there is a need for a coded alphabetical designation for representing the names of ports, airports, inland freight terminals and other locations where Customs clearance of goods can take place, or otherwise proposed by Governments.

D.13 (N.12) Use of PAYTERMS abbreviations

Working Party on Facilitation of International Trade Procedures, Recommendation No.17 - The Working Party ... draws attention to the "PAYTERMS" corresponding to conditions of payment which are most frequently used in international trade, which can be employed when the contract of sale to which they relate makes this appropriate; recommends that the abbreviations shown in the list of "PAYTERMS" be used in such contracts.

D.14 (N.13) Use of codes for modes of transport

Working Party on Facilitation of International Trade Procedures, Recommendation No.19 - The Working Party ... recommends that the code structure described should be applied whenever there is a need for a coded representation for indicating mode of transport for purposes of international trade.

D.15 (N.14) Use of codes for units of measurement

Working Party on Facilitation of International Trade Procedures, Recommendation No.20 - The Working Party ... recommends that the participants in international trade, when there is a need for coded representations of units of measurement, use the codes for such units presented in the list annexed to the (present) Recommendation.

D.16 (N.15) Use of packaging codes

Working Party on Facilitation of International Trade Procedures, Recommendation No.21 - The Working Party ... recommends Governments and organizations responsible for relevant national regulations and practices related to the movement of goods in international trade to support international facilitation work by considering the codes described in the (present) Recommendation with a view to introducing them in such regulations and in practice;

- recommends organizations responsible for international instruments that contain codes such as those covered by the (present) Recommendation to consider harmonization of any such codes in accordance with those presented (hereafter) when reviewing existing or preparing new international provisions;

- recommends participants in international trade, when there is a need to use codes to represent different types of cargo, packages, and packaging materials, to use the numeric codes presented in (this) recommendation, and - when there is a need for such codes to represent names of packages - to use the complementary alphabetic codes.

D.17 (C.3) Standards for movement of dangerous goods

Working Party on Facilitation of International Trade Procedures, Recommendation No.18, paragraph 9.3 - National dangerous goods regulations should conform to international standards laid down in or derived from the Recommendations of the Committee of Experts on the Transport of Dangerous Goods of the United Nations Economic and Social Council. However, even when national regulations do not conform, dangerous goods moving under international regulations should be permitted to travel to their destination without further reclassification, documentation, labelling, placarding or packing.

D.18 Use of freight codes

Working Party on Facilitation of International Trade Procedures, Recommendation No.23 - The Working Party ... recommends that the naming system for freight costs and other charges described be accepted and used by international and national organizations, transport operators, transport users and other interested parties and that its acceptance and use is promoted by national trade facilitation bodies;

further recommends that the coding system referred to as the "Freight Cost Code (FCC)" be used whenever there is a need for coded representation of plain language names for freight costs and other charges.

III DOCUMENTS

D.19 (A.6, J.11, N.26) Use of aligned trade documents (ISO 6422)

Working Party on Facilitation of International Trade Procedures, Recommendations Nos. 1 and 2 (United Nations Layout Key for Trade Documents) paragraphs 15 - 17 - 15. The recommendation on a layout key for trade documents aims at providing an international basis for the standardization of documents used in international trade and transport and for visual display representations of such documents.

16. The United Nations Layout Key for Trade Documents is intended for application in the designing of documents related to the various administrative, commercial, productive and distributive activities constituting external trade, whether these documents are completed in handwriting, by mechanical means such as typewriters and automatic printers, or by reproductive methods. It applies to documents describing individual consignments (or groupage consignments, e.g. container loads) rather than documents listing the total load of a means of transport (e.g. Ship's Cargo Manifests); regarding the latter type of document, the Layout Key can be applied for the goods description particulars. Although the Layout Key applies mainly to documents used in trade with goods, it can also in relevant parts be applied to transactions not involving goods.

17. The Layout Key is intended particularly as a basis for the designing of aligned series of forms employing a master document in a reprographic one-run method of document preparation; it can also be applied for the layout of visual display presentations in ADP applications.

Note:

- In 1984, the Working Party issued Guidelines for the Application of the United Nations Layout Key when Designing Trade Documents (TRADE/WP.4/INF.93; TD/B/FAL/INF.93).
- In 1985, the ISO adopted International Standard ISO 6422 Layout Key for Trade Documents.

D.20 (B.20, N.25) Aligned inspection certificates

Working Party on Facilitation of International Trade Procedures, Recommendation No. 18, paragraph 8.1 - Control and inspection bodies should align their certificates and application forms to the United Nations Layout Key; if certificates cannot be aligned, the use of aligned application forms should be allowed.

Note:

- In March 1983, the Working Party adopted the following Resolution:

> The Working Party ...
>
> Noting that the application of international standards for the presentation of information required in international trade is an appropriate way of removing non-tariff barriers to trade that persist through lack of harmonization of relevant national standards;
> ...
>
> Drawing attention to the advantages of cost, speed and accuracy when using aligned trade documents in international trade procedures;
> ...
>
> Recommends that governments and interested international organizations adopt, or work towards the adoption of, as appropriate, aligned versions of phytosanitary certificates based on the aligned model forms (attached to the present Resolution) for use in connection with the International Plant Protection Convention as revised in 1979, when the latter enters into force, that said certificates be accepted in import procedures, and that national competent authorities allow the use of aligned forms of application.

Group E - Measures relating to the use of computers and EDI

I FORMALITIES

E.1 Basic principles for introduction of EDI

Convention on International Civil Aviation, Annex 9 (4.7) Recommended Practice - When the introduction, or modification, of electronic data-processing techniques for air cargo is planned, Contracting States should endeavour to apply the following principles:

a) affording all interested parties, from the outset, the opportunity for consultations;
b) evaluating existing procedures and eliminating those which are unnecessary;
c) determining those procedures which are to be computerized;
d) using United Nations (UN) standards to the maximum extent practicable. These include, but are not limited to, the UN Trade Data Elements Directory (TDED), Electronic Data Interchange for Administration, Commerce and Transport (EDIFACT syntax rules) and UN Standard Messages (UNSMs); and
e) ensuring compatibility with the various electronic data-processing systems in existence.

E.2 Participation by operators to be optional

Convention on International Civil Aviation, Annex 9(4.8) - When introducing electronic data-processing for air cargo, Contracting States shall consider the principle of optionality regarding participation by operators and other interested parties.

E.3 National legislation to cater for computerized procedures

Kyoto Convention, Annex J.1(5) Recommended Practice - Prior to introducing the use of ADP techniques Contracting Parties should review existing national legislation. Whenever national legislation is being developed or revised, Contracting Parties should ensure that such legislation caters for computerized procedures as well as manual procedures.

Kyoto Convention, Annex J.1 (6) Recommended Practice - The Contracting Parties should ensure that new or revised legislation provides for:

- other information transmission methods as an alternative to paper-based documentary requirements, e.g. magnetic media and teletransmission;
- other authentication methods as an alternative to hand-written and other paper-based signatures;
- the definition of relevant terms by using internationally accepted definitions which take account of ADP media.

Working Party on Facilitation of International Trade Procedures, Recommendation No. 13 - The Working Party ...

Being aware that the main concern of import authorities is the completeness and correctness of the information submitted rather than the form in which it is presented, and that problems often centre on the requirement of satisfactory supporting information; ...

Recommends to governments to study and evaluate the possibility of accepting data transmitted by electronic or other automatic techniques under specific criteria.

E.4 (F.15) Continuous liaison Customs - national ADP services

Kyoto Convention, Annex J.1(16) Recommended Practice - Continuous liaison and consultation should be established at the national level, between the services responsible for ADP and the services responsible for Customs control matters within each Customs administration with a view to identifying the needs of Customs control services and in order to make the best possible use of ADP techniques and facilities to assist in meeting such needs.

E.5 (F.14) Customs administrations to exchange ADP information

Kyoto Convention, Annex J.1 (11) Recommended Practice - Where practicable the Customs authorities should, at the request of the Customs authorities of another country, co-operate on technical matters concerning computerized systems for Customs purposes, utilizing the channels of the (Customs Co-operation) Council so far as may be possible.

Note: Technical co-operation may take the form of:

- the provision of information,
- the provision of specialized Customs-related ADP training,
- the organization of seminars, courses or symposia intended for foreign participants in order to promote computerization,
- the provision of expert advice following on-site analysis of existing procedures.

E.6 Study use of ADP to facilitate air freight

Convention on International Civil Aviation, Annex 9 (4.6) - Contracting States shall examine, in close collaboration with international operators and others concerned with air cargo, the facilitation implications which may result from the introduction of electronic data-processing techniques.

E.7 Encouragement of use of EDI

Convention on International Civil Aviation, Annex 9 (4.4) Recommended Practice - When introducing electronic data-processing techniques for air cargo facilitation, Contracting States shall encourage international airline operators, handling companies, airports, customs and other authorities and/or cargo agents to exchange data electronically to facilitate cargo processing in conformity with international message standards.

E.8 Air cargo EDI information requirements to be limited to functional need

Convention on International Civil Aviation, Annex 9 (4.4) Recommended Practice - When introducing electronic data-processing techniques for air cargo, Contracting States should limit the amount of information required from operators to that relating to the latter's particular function concerned (e.g. operator, clearing agent, importer), as provided for in the pertinent provisions of (this) Annex.

E.9 (F.7) ADP tariff files, etc. to be available to user

Kyoto Convention, Annex J.1(15) Recommended Practice - Customs authorities should make available to users non-sensitive files, for example, those concerning exchange rates, tariff item/statistical code combinations, exemptions, quota categories, quota balances, prohibitions and restrictions.

E.10 Review legal rules re use of computer records as evidence

UNCITRAL Recommendation on Legal Value of Computer Records, paragraph 1 (a) - The United Nations Commission on International Trade Law recommends to Governments to review the legal rules affecting the use of computer records as evidence in litigation in order to eliminate unnecessary obstacles to their admission, to be assured that the rules are consistent with developments in technology, and to provide appropriate means for a Court to evaluate the credibility of the data contained in those records.

E.11 Use of Electronic Data Interchange for Administration, Commerce and Transport (EDIFACT) standards for message construction including use of United Nations Trade Data Interchange Directory (TDID) (Syntax: ISO 9735)

UN/EDIFACT is the internationally recognized standard for EDI message construction. The EDIFACT syntax rules are endorsed as ISO 9735 by the International Organization for Standardization. A set of standard messages, each corresponding to a specific business function, is available. These messages are maintained according to agreed rules under the aegis of UN/ECE. They are recommended for use whenever EDI takes place between trade partners.

E.12 Use of Uniform Rules of Conduct for Interchange of Trade Data by Teletransmission (UNCID)

The UNCID Rules, developed within a Special Joint Committee of the International Chamber of Commerce (ICC), aim at facilitating the interchange of trade data effected by teletransmission, through the establishment of agreed rules of conduct between parties engaged in such transmission.

II PROCEDURES

E.13 Customs to maximize use of ADP techniques

Kyoto Convention, Annex J.1(4) Recommended Practice- Customs authorities should make the greatest possible use of information sources and ADP techniques for Customs control purposes.

E.14 Customs computer systems to use international standards

Kyoto Convention, Annex J.1(9) Recommended Practice - Whenever practicable, computer applications implemented by Customs authorities should use internationally accepted standards, especially those adopted by the (Customs Co-operation) Council.

Note: The adoption of international standards for the representation of data elements, codes and coding structures, interface protocols and message syntax greatly facilitates data exchange between Customs administrations and international trade participants whenever there is a need for such data exchange.

E.15 Review Customs manual procedures before computerizing

Kyoto Convention, Annex J.1(7) Recommended Practice - The Customs authorities should review and where appropriate modernize existing manual procedures, documentation and coding practices prior to introducing the use of ADP techniques.

E.16 Customs to provide data interchange with trade users

Kyoto Convention, Annex J.1(13) Recommended Practice: - In automating procedures, Customs authorities should consider the possibility of interchanging data with trade users by direct link or on machine-readable media according to the technology available.

Note: Data interchange may be by means of, for example, Direct Trader Input (DTI), teletransmission or magnetic media.

E.17 (I.34) Customs to use ADP selection criteria

Kyoto Convention, Annex J.1 (17) Recommended Practice - The Customs authorities should consider incorporating Customs selectivity criteria in Customs ADP systems, in particular, to facilitate the identification of goods declarations for checking or of consignments for examination.

III DOCUMENTS

E.18 (O.8) Acceptance of authentication without signature

Working Party on Facilitation of International Trade Procedures, Recommendation No. 14 - The Working Party ... Recommends to governments and international organizations responsible for relevant intergovernmental agreements to study national and international texts which embody requirements for signature on documents needed in international trade and to give consideration to amending such provisions, where necessary, so that the information which the documents contain may be prepared and transmitted by electronic or other automatic means of data transfer, and the requirement of a signature may be met by authentication guaranteed by the means used in the transmission; and

Recommends to all organizations concerned with the facilitation of international trade procedures to examine current commercial documents, to identify those where signature could safely be eliminated and to mount an extensive programme of education and training in order to introduce the necessary changes in commercial practices.

E.19 (I.45) Acceptance of ADP-prepared goods declarations

Working Party on Facilitation of International Trade Procedures, Recommendation No. 18, paragraph 9.4 - Customs authorities in importing countries should implement the Recommendation (16 June 1981) of the Customs Co-operation Council concerning the transmission and authentication of goods declarations which are processed by computer. In consequence, and under conditions to be laid down by the Customs authorities, they should:

1. Allow declarants to use electronic or other automatic means to transmit to the Customs goods declarations for automatic processing. Such declarations may be transmitted either by direct link between the data processing systems of Customs and those of the declarant or on magnetic or other ADP media;

2. Accept that good declarations which are transmitted by electronic or other automatic means to Customs be authenticated other than by handwritten signature.

E.20 Customs to provide data interchange with trade users

Convention on International Civil Aviation, Annex 9 (4.5) - Contracting States shall accept commercial documents required for the clearance of air cargo, when produced by electronic data-processing techniques, provided they are in legible and understandable form and that they contain the required information.

E.21 (I.27) Periodic import declarations by ADP

Working Party on Facilitation of International Trade Procedures, Recommendation No.18, paragraph 9.5 - Importers' forwarders/Customs brokers should investigate the benefits of periodic lodgement of import declarations (including those for goods released from private bonded warehouses) in computer-readable form.

E.22 Acceptance of ADP-prepared cargo manifest

Convention on International Civil Aviation, Annex 9 (2.8) - The Cargo Manifest shall be accepted when it follows ... a clear and understandable format adapted to electronic data-processing techniques.

E.23 (C.54, N.18) Preparation of bills of lading at destination by ADP

Working Party on Facilitation of International Trade Procedures, Recommendation No.18, paragraph 7.3 - To avoid delays and demurrage caused by the need to send documents by mail, facilities should be developed for the preparation of Bills of Lading in the country of destination, using automatic data processing and transmission.

E.24 Review legal rules that certain documents be in writing

UNCITRAL Recommendation on Legal Value of Computer Records, paragraph 1 (b) - The United Nations Commission on International Trade Law recommends to Governments to review legal requirements that certain trade transactions or trade related documents be in writing, whether the written form is a condition to the enforceability or to the validity of the transaction or document, with a view to permitting, where appropriate, the transaction or document to be recorded and transmitted in computer-readable form.

E.25 Review legal requirements for handwritten signature, etc. to permit electronic authentication

UNCITRAL Recommendation on Legal Value of Computer Records, paragraph 1(c) - The United Nations Commission on International Trade Law recommends to governments to review legal requirements of a handwritten signature or other paper-based method of authentication on trade related documents with a view to permitting, where appropriate, the use of electronic means of authentication.

E.26 Review legal requirements to allow submission of computer-readable documents to governments

UNCITRAL Recommendation on Legal Value of Computer Records, paragraph 1(d) - The United Nations Commission on International Trade Law recommends to governments to review legal requirements that documents for submission to governments be in writing and manually signed with a view to permitting, where appropriate, such documents to be submitted in computer-readable form to those administrative services which have acquired the necessary equipment and established the necessary procedures.

Group F - Measures relating to information

I. FORMALITIES

F.1 (C.4) Information relating to dangerous goods

Working Party on Facilitation of International Trade Procedures, Recommendation No.11 - (1) The overall information requirements of dangerous goods documents should be harmonized, both for different modes of transport, and for different parties engaged in the transport of goods;

(2) In particular, the amount of information required to classify the goods should be standardized as: the correct technical name, hazard class/division, United Nations number and (when required) flashpoint. Other information about the goods should be derived by reference to this central core of information;

(3) A single form of words should be developed for the text of the legal declaration to meet fully the requirements of regulations and conventions governing different modes of transport;

(4) Transport emergency information should be provided in the form of standard, pre-printed tables for each substance, each table bearing as a key reference the United Nations number for that substance. The manual entry of additional related information or codes on documents should not be required.

F.2 Availability of trade regulations

General Agreement on Tariffs and Trade, Article X, paragraph 1 - Laws, regulations, judicial decisions and administrative rulings of general application, made effective by any Contracting Party, pertaining to the classification or the valuation of products for Customs purposes, or to rates of duty, taxes or other charges, or to requirements, restrictions or prohibitions on imports or exports or on the transfer of payments therefor, or affecting their sale, distribution, transportation, insurance, warehousing, inspection, exhibition, processing, mixing or other use, shall be published promptly in such manner as to enable governments and traders to become acquainted with them. Agreements affecting international trade policy which are in force between the government or a governmental agency of any Contracting Party and the government or governmental agency of any other Contracting Party shall also be published.

F.3 Availability of standards

GATT Agreement on Technical Barriers to Trade, Article 2

- 2.7 Parties shall ensure that all technical regulations and standards which have been adopted are published promptly in such a manner as to enable interested parties to become acquainted with them.

- 2.8 ... Parties shall allow a reasonable interval between the publication of a technical regulation and its entry into force in order to allow time for producers in exporting countries, and particularly in developing countries, to adapt their products or methods of production to the requirements of the importing country.

F.4 Changes in rules to be published promptly

General Agreement on Tariffs and Trade, Article X, paragraph 2 - No measure of general application taken by any Contracting Party effecting an advance in a rate of duty or other charge on imports under an established and uniform practice, or imposing a new or more burdensome requirement, restriction or prohibition on imports, or on the transfer of payments therefor, shall be enforced before such measure has been officially published.

F.5 Publicity for official tariff, information on clearance procedures, etc.

Kyoto Convention, **Annex** G.1(3) Standard - The Customs authorities shall ensure that all relevant information of general application pertaining to the laws and regulations which they are responsible for enforcing is readily available to any interested person.

Note: - The information is usually made available in publications such as the Customs tariff, official gazettes, bulletins and notices and by arranging for such information to be given promptly on request at competent Customs offices.

Kyoto Convention, **Annex** G.1(4) **Recommended** Practice - When, due to changes in laws and regulations or in Customs procedures, administrative arrangements or requirements, published information of general application has to be amended, the Customs authorities should publish the revised information sufficiently in advance of the entry into force of the changes to enable interested persons to take account of them, unless advance notice is precluded by the relevant legislation.

F.6 Provision by Customs of information of a specific nature

Kyoto Convention, **Annex** G.1(5) Standard - At the request of the interested person, the Customs authorities shall provide, as quickly and as accurately as possible, information relating to the specific matters raised by the interested person and pertaining to the laws and regulations which the Customs authorities are responsible for enforcing.

Kyoto Convention, **Annex** G.1(6) **Recommended** Practice - The Customs authorities should supply not only the information specifically requested but also any other pertinent information which they consider the interested person should be made aware of.

F.7 (E.9) ADP tariff files, etc. to be available to user

Kyoto Convention, **Annex** J.1(15) **Recommended** Practice - Customs authorities should make available to users non-sensitive files, for example, those concerning exchange rates, tariff item/statistical code combinations, exemptions, quota categories, quota balances, prohibitions and restrictions.

F.8 Information on medicosanitary inspection requirements

International Convention on the Harmonization of Frontier Controls of Goods, 1982, Annex 2, Article 2 - Each Contracting Party shall ensure that information on the following is readily available to any person interested:

- the goods subject to medico-sanitary inspection;
- the places where the goods in question may be presented for inspection;
- the requirements as set out in laws and regulations concerning medico-sanitary inspection as well as their procedures of general application.

F.9 Information on veterinary inspection requirements

Convention on International Civil Aviation, Annex 9 (4.54) - Contracting States which in certain circumstances require sanitary certificates or related documents in respect of particular animal and plant shipments shall publish the details of their requirements in this connexion.

International Convention on the Harmonization of Frontier Controls of Goods, 1982, Annex 3, Article 3 - Each Contracting Party shall ensure that information on the following is readily available to any person interested:

- the goods subject to veterinary inspection;
- the places where the goods may be presented for inspection;
- the compulsorily notifiable diseases;
- the requirements as set out in laws and regulations concerning veterinary inspection as well as their procedures of general application.

F.10 Information on phytosanitary inspection requirements

Convention on International Civil Aviation, Annex 9 (4.54) - Contracting States which in certain circumstances require sanitary certificates or related documents in respect of particular animal and plant shipments shall publish the details of their requirements in this connexion.

International Convention on the Harmonization of Frontier Controls of Goods, 1982, Annex 4, Article 3 - Each Contracting Party shall ensure that information on the following is readily available to any person interested:

- the goods subject to special phytosanitary conditions,
- the places where particular plants and plant products may be presented for inspection,
- the list of pests of plants and plant products for which prohibitions and restrictions are in force,
- the list of requirements as set out in laws and regulations concerning phytosanitary inspection as well as their procedures of general application.

F.11 Information on technical standards requirements

International Convention on the Harmonization of Frontier Controls of Goods,
1982, Annex 5, Article 2 - Each Contracting Party shall ensure that information on the following is readily available to any person interested:

- the standards applied by it,
- the places where the goods may be presented for inspection,
- the requirements as set out in laws and regulations concerning the control of compliance with technical standards as well as their procedures of general application.

GATT Agreement on Technical Barriers to Trade, Article 10

(Article 10, entitled "Information about technical regulations, standards and certification systems", requires each Party to establish enquiry points from which relevant information could be obtained on the technical regulations and standards that are adopted or proposed to be adopted.)

F.12 Information on quality controls

International Convention on the Harmonization of Frontier Controls of Goods,
1982, Annex 6, Article 2 - Each Contracting Party shall ensure that information on the following is readily available to any person interested:

- the places where the goods may be presented for inspection,
- the requirements as set out in laws and regulations concerning quality control as well as their procedures of general application.

F.13 Customs to give information on duties and taxes, valuation and procedures

Kyoto Convention, Annex G.1(10) Standard - At the request of the interested person, the Customs authorities shall supply information concerning the tariff classification of goods and concerning the rates of duties and taxes applicable to them.

Kyoto Convention, Annex G.1(13) Standard - At the request of the interested person, the Customs authorities shall supply information explaining the general principles and practices for the calculation of the value for Customs purposes so that the interested person may estimate with a reasonable degree of certainty the value of the goods for Customs purposes.

Kyoto Convention, Annex G.1(14) Standard - At the request of the interested person, the Customs authorities shall supply information showing how the value for Customs purposes has been calculated for his goods.

Kyoto Convention, Annex G.1(15) Standard - At the request of the interested person, the Customs authorities shall supply information concerning the eligibility of goods for treatment under specific Customs procedures.

Note: - The interested person may need to know in advance whether or not the goods in question qualify for treatment under a given Customs procedure, particularly in respect of those procedures offering relief from duties and taxes such as processing, temporary admission, Customs warehousing or drawback, and in respect of repayment arrangements.

Kyoto Convention, Annex G.1(16) Standard - At the request of the interested person, the Customs authorities shall supply information concerning their procedural and administrative requirements and arrangements.

F.14 (E.5) Exchange of ADP information between Customs administrations

Kyoto Convention, Annex J.1(11) Recommended Practice - Where practicable the Customs authorities should, at the request of another country, co-operate on technical matters concerning computerized systems for Customs purposes, utilizing the channels of the (Customs Co-operation) Council so far as may be possible.

Note: - Technical co-operation may take the form of:

- the provision of information,
- the provision of specialized Customs-related ADP training,
- the organization of seminars, courses or symposia intended for foreign participants in order to promote computerization,
- the provision of expert advice following on-site analysis of existing procedures.

F.15 (E.4) Exchange of ADP information between Customs and other parties

Kyoto Convention, Annex J.1(16) Recommended Practice - Continuous liaison and consultation should be established at the national level, between the services responsible for ADP and the services responsible for Customs control matters within each Customs administration with a view to identifying the needs of Customs control services and in order to make the best possible use of ADP techniques and facilities to assist in meeting such needs.

II PROCEDURES

F.16 Customs to give information on clearance procedure

Kyoto Convention, Annex B.1(65) Recommended Practice - The Customs authorities shall ensure that all relevant information concerning the clearance for home use procedure is readily available to any person interested.

III DOCUMENTS

F.17 Customs to supply information to assist completion of goods declaration

Kyoto Convention, Annex B.1(10) Recommended Practice - In cases of special difficulty, and if so requested by the declarant, the Customs authorities should provide any necessary information available to them to assist him in completing the goods declaration for home use.

Group G - Measures relating to Customs operations generally

I FORMALITIES

G.1 Inward processing use of equivalent domestic goods

Kyoto Convention, Annex E.6(43) Recommended Practice - The products obtained from the treatment of imported or domestic goods identical in description, quality and technical characteristics to those temporarily admitted for inward processing should be deemed to be compensating products for the purposes of (this) Annex (setting-off with equivalent goods).

Note: - Where setting-off with equivalent goods occurs in circumstances that so warrant it, the competent authorities may allow, as compensating products, goods exported before the importation of the goods which benefit from the temporary admission for inward processing procedure.

G.2 Duty free importation of goods equivalent to usage for export

Kyoto Convention, Annex E.7 Introduction - The drawback procedure and temporary admission for inward processing allow a refund of, or conditional relief from, import duties and taxes to be granted in respect of foreign goods used to obtain exported products. In the case of the duty - free replacement of goods procedure the technique employed is to grant exemption from import duties and taxes for goods equivalent to those which were in free circulation and were processed into products exported from the Customs territory.

G.3 Temporary importation of special handling equipment

Kyoto Convention, Annex A.3(10) Standard - Special equipment for the loading, unloading, handling and protection of cargo, whether or not it is capable of being used separately from the commercial means of transport, which is imported with the commercial means of transport and is intended to be re-exported therewith, shall be allowed to be brought temporarily into a Customs territory conditionally relieved from payment of import duties and taxes and free of import prohibitions and restrictions.

Note: - Temporary importation of such equipment may be made subject to the condition that it is used only in the immediate vicinity of the commercial means of transport, for example within an airport or on shore at ports of call.

No security or temporary importation document is normally required for such equipment.

II PROCEDURES

G.4 (M.22) Correlation of business hours at borders

Kyoto Convention, Annex B.1 (4) Recommended Practice - Where corresponding Customs offices are located on a common frontier, the

Customs authorities of the two countries concerned should, as far as possible, correlate the business hours and the competence of those offices.

International Convention on the Harmonization of Frontier Controls of Goods, 1982, Annex 3, Article 4(1) - The Contracting Parties shall endeavour ... to facilitate the movement of goods, in particular through the co-ordination of working hours of the veterinary and Customs services and agreement to effect clearance outside normal hours, where their arrival has been notified in advance.

G.5 (M.23) Opening hours at border crossings

Working Party on Facilitation of International Trade Procedures, Recommendation No.18, paragraph 9.12 - Customs authorities should examine the possibility of keeping border crossing points open on important international routes to enable cargo carried in accordance with international transit rules to pass such border points day and night.

G.6 No substantial penalties for minor breaches of regulations

General Agreement on Tariffs and Trade, Article VIII, paragraph 3 - No contracting party shall impose substantial penalties for minor breaches of Customs regulations or procedural requirements. In particular, no penalty in respect of any omission or mistake in Customs documentation which is easily rectifiable and obviously made without fraudulent intent or gross negligence shall be greater than necessary to serve merely as a warning.

Group H - Measures relating to Customs and other official procedures concerning the means of transport and transport equipment (including containers)

I. FORMALITIES

H.1 (C.5) Single comprehensive security from shipowners

Convention on Facilitation of International Maritime Traffic, 1965, Annex B(5.1) Recommended Practice - Where public authorities require bonds or other forms of security from shipowners to cover liabilities under the Customs, immigration, public health , agricultural quarantine or similar laws and regulations of a State, they should permit the use of a single comprehensive bond or other form of security wherever possible.

H.2 (C.6) Minimum Customs formalities for means of transport

Kyoto Convention, Annex A.3(3) Standard - Customs formalities applicable to commercial means of transport shall be reduced to the minimum necessary to ensure compliance with the laws and regulations which the Customs are responsible for enforcing.

H.3 Use of foreign containers in internal traffic

Customs Convention on Containers, 1972, Article 9 - Contracting Parties shall permit containers granted temporary admission under the terms of the (present) Convention to be used for the carriage of goods in internal traffic, in which case each Contracting party shall be entitled to impose one or more of the conditions set out in annex 3,

(i.e.: (a) the journey shall bring the container by a reasonably direct route to, or nearer to, the place where export cargo is to be loaded or from where the container is to be exported empty;

(b) the container will be used only once in internal traffic before re-exported.)

H.4 Acceptance of foreign containers for temporary admission

Customs Convention on Containers, 1972, Article 3

1. Subject to the conditions laid down in articles 4 to 9, each Contracting Party shall grant temporary admission to containers, whether loaded with goods or not.
2. Each Contracting Party reserves the right not to grant temporary admission to containers which have been the subject of purchase, hire-purchase, lease or a contract of a similar nature, concluded by a person resident or established in its territory.

H.5 (C.7) Temporary importation of means of transport

Kyoto Convention, Annex A.3 (6) Standard - Commercial means of transport, whether loaded or not, shall be allowed to be brought temporarily into a Customs territory conditionally relieved from payment of import duties and taxes and free of import prohibitions and restrictions. They must be intended for re-exportation without having undergone any change except normal depreciation due to their use, normal consumption of lubrication oils and fuel and necessary repairs.

Note: 1. The question of temporary importation does not generally arise in respect of commercial means of transport owned and registered in the territory concerned which are either home-produced or have previously paid any import duties and taxes to which they were liable.

Note: 2. Temporary importation may be made subject to the condition that commercial means of transport are not used for internal transport in the Customs territory of the country of temporary importation.

Kyoto Convention, Annex A.3(7) Recommended Practice - No security or temporary importation document should be required for commercial means of transport.

Kyoto Convention, Annex A.3 (8) Standard - Where the Customs authorities prescribe a time limit for the re-exportation of commercial means of transport, they shall take into account all the circumstances of the transport operations intended.

Kyoto Convention, Annex A.3 (9) Recommended Practice - At the request of the person concerned, and for reasons deemed valid by the Customs authorities, the latter should extend any period initially fixed.

H.6 Temporary admission for replacement parts for containers

Customs Convention on Containers, 1972, Article 10 - Temporary admission shall be granted to component parts intended for the repair of temporarily admitted containers.

H.7 Temporary admission for accessories and equipment for containers

Customs Convention on Containers, 1972, Article 11 - The Contracting Parties agree to grant temporary admission to accessories and equipment of temporarily admitted containers, which are either imported with a container to be re-exported separately or with another container, or imported separately to be re-exported with a container.

H.8 (C.8) Duty on destroyed or damaged means of transport

Kyoto Convention, Annex A.3(33) Standard - Temporarily imported commercial means of transport which are damaged, destroyed or irrecoverably lost by accident or force majeure while in the Customs territory, shall not be required to be re-exported but they may be:

(a) cleared for home use in their existing state as if they had been imported in that state;

(b) rendered commercially valueless under Customs control, without expense to the Revenue, any parts or materials salvaged being subject to the import duties and taxes to which such components are liable at the time when, and in the condition in which, they are presented; or

(c) with the consent of the Customs authorities, abandoned free of all expenses to the Revenue.

H.9 (C.12) Minimum formalities at second port of call

Convention on Facilitation of International Maritime Traffic, 1965, Annex B(2.13) Recommended Practice - Taking into account the procedures carried out on arrival of a ship at the first port of call in the territory of a State, the formalities and documents required by the public authorities at any subsequent port of call in that country visited without intermediate call at a port in another country should be kept to a minimum.

H.10 (C.27) Limited information about cargo remaining on board

Convention on Facilitation of International Maritime Traffic, 1965, Annex B(2.3.2) Recommended Practice - In respect of cargo remaining on board, public authorities should require only brief details of the minimum essential items of information to be furnished.

H.11 (I.10) No duty on air transport ground equipment

Convention on International Civil Aviation, Annex 9 (4.44) Recommended Practice - Ground equipment and security equipment imported into the territory of a Contracting State by an airline of another Contracting State for use within the limits of an international airport in connexion with the establishment or maintenance of an international service operated by that airline should be admitted free of Customs duties and, as far as possible, other taxes and charges, subject to compliance with the regulations of the Contracting State concerned. Such regulations should not unreasonably interfere with the necessary use by the airline concerned of such ground equipment and security equipment.

(A Note gives a list of items of the kind that should be admitted under this provision.)

H.12 (I.11) No duty on air transport training equipment

Convention on International Civil Aviation, Annex 9 (4.45) Recommended Practice - Instructional material and training aids imported by an airline of another Contracting State into the territory of a Contracting State for use in connexion with the technical training of ground and flight personnel required to establish and maintain an international service operated by that airline should be admitted free of Customs duties and other taxes and charges, subject to compliance with the regulations of the Contracting State concerned.

(A note gives a list of items of the kind that should be admitted under this provision.)

H.13 (M.12) Acceptance of foreign Customs seals on containers

TIR Convention, Article 22

1. As a general rule and except when they examine the goods in accordance with article 5, paragraph 2, (i.e. when irregularity is suspected), the Customs authorities of the Customs offices en route of each of the Contracting Parties shall accept the Customs seals of other contracting Parties, provided that they are intact. The said Customs authorities may, however, if control requirements make it necessary, add their own seals.

2. The Customs seals thus accepted by a Contracting Party shall have in the territory of that Contracting Party the benefit of the same legal protection as is accorded to the national seals.

Kyoto Convention, **Annex E.1(26) Recommended Practice** - Customs seals and identification marks affixed by foreign Customs authorities should be accepted for the purposes of the Customs transit operation unless they are considered not to be sufficient or secure or the Customs authorities proceed to an examination of the goods. When foreign Customs seals and fastenings have been accepted in a Customs territory they should be afforded the same legal protection in that territory as national seals and fastenings.

II PROCEDURES

H.14 (C.13) Minimization of time vessel in port

Convention on Facilitation of International Maritime Traffic, 1965, Annex B(2.12) Recommended Practice - Public authorities should, with the co-operation of shipowners and port administrations, take appropriate measures to the end that port time may be kept to a minimum and should provide satisfactory port traffic flow arrangements, should frequently review all procedures in connexion with the arrival and departure of ships including arrangements for embarkation and disembarkation, loading and unloading, servicing and the like.

H.15 (C.15) Grant of pratique by radio

Convention on Facilitation of International Maritime Traffic, 1965, Annex B(4.4) Recommended Practice - Public authorities should whenever practicable authorize granting of pratique by radio to a ship when, on the basis of information received from it prior to its arrival, the health authority for the intended port of arrival is of the opinion that its arrival will not result in the introduction or spread of a quarantinable disease. Health authorities should as far as practicable be allowed to join a ship prior to entry of the ship into port.

H.16 (C.14) Minimization of dwell-time of air cargo

Convention on International Civil Aviation, Annex 9(4.29) - Contracting States, in co-operation with operators, airport authorities and other agencies concerned with the handling, clearance and forwarding of goods, shall take the necessary steps to reduce to a minimum the dwell-time of air cargo in airport cargo terminals.

H.17 (C.35) Correction of inadvertent errors without delay to ship

Convention on Facilitation of International Maritime Traffic, 1965, **Annex** B(5.2) Standard - Public authorities shall, without delaying the ship, allow corrections of errors in a document provided for in (this) Annex, which they are satisfied are inadvertent, not of a serious nature, not due to recurrent carelessness and not made with intent to violate the laws or regulations, on the condition that these errors are discovered before the document is fully checked and the corrections can be effected without delay.

H.18 No penalties for inadvertent errors

Convention on Facilitation of International Maritime Traffic, 1965, **Annex** B (5.3) Standard - If errors are found in documents provided for in (this) Annex, signed by or on behalf of a shipowner or master, no penalties shall be imposed until an opportunity has been given to satisfy the public authorities that the errors were inadvertent, not of a serious nature, not due to recurrent carelessness and not made with intent to violate laws or regulations.

H.19 Undocumented temporary importation of foreign containers

Customs Convention on Containers, 1972, Article 6 - ... containers temporarily imported under the terms of the present Convention shall be granted temporary admission without the production of Customs documents being required on their importation and re-exportation and without the furnishing of a form of security.

H.20 Undocumented temporary importation of vehicles or containers containing goods under TIR

TIR Convention, Article 15 - No special Customs document shall be required in respect of the temporary importation of a road vehicle, combination of vehicles or container carrying goods under cover of the TIR procedure. No guarantee shall be required for the road vehicle or combination of vehicles or container.

III DOCUMENTS

H.21 (C.17) Limited documents required on ship's arrival

Convention on Facilitation of International Maritime Traffic, 1965, **Annex** B(2.1) Standard - Public authorities shall not require for their retention, on arrival or departure of ships to which the Convention applies, any documents other than those covered by the present section. The documents in question are:

- General Declaration
- Cargo Declaration
- Ship's Stores Declaration
- Crew's Effects Declaration

- Passenger List
- The document required under the Universal Postal Convention for mail
- Maritime Declaration of Health.

H.22 (C.9) No prior authentication of means of transport documents

Kyoto Convention, Annex A.3 (25) Standard - No documents to be produced to or lodged with the Customs authorities in connexion with the arrival of commercial means of transport shall be required to be legalized, verified, authenticated or previously dealt with by any representatives abroad of the country into which commercial means of transport arrive.

(See also I.28, Abolition of consular invoices and fees.)

H.23 (C.10) No prior authentication of ship and cargo documents

Convention on Facilitation of International Maritime Traffic, 1965, Annex B(2.16) Standard - Public authorities of the country of any intended port of arrival, discharge, or transit shall nor require any document relating to the ship, its cargo, stores, passengers or crew, ..., to be legalized, verified, authenticated, or previously dealt with by any of their representatives abroad. This shall not be deemed to preclude a requirement for the presentation of a passport or other identity document of a passenger or crew member for visa or similar purposes.

(See also I.28, Abolition of consular invoices and fees.)

H.24 (C.11) Authentication of documents and information

Convention on Facilitation of International Maritime Traffic, 1965, Annex B(2.2.3) Standard - Public authorities shall accept a General Declaration dated and signed by the master, the ship's agent or some other person duly authorized by the master.

H.25 (C.18) Use of general declaration

Convention on Facilitation of International Maritime Traffic, 1965, Annex B (2.2) Standard - The General Declaration shall be the basic document on arrival and departure providing information required by public authorities relating to the ship.

H.26 (C.19) Same form of general declaration for arrival and departure

Convention on Facilitation of International Maritime Traffic, 1965, Annex B(2.2.1) Recommended Practice - The same form of General Declaration should be accepted for both arrival and departure of a ship.

H.27 (C.20) Information required on general declaration

Convention on Facilitation of International Maritime Traffic, 1965, Annex B (2.2.2) Recommended Practice - In the General Declaration public authorities should not require more than the following information:

- Name and description of ship
- Nationality of ship
- Particulars regarding registry
- Particulars regarding tonnage
- Name of master
- Name and address of ship's agent
- Brief description of the cargo
- Number of crew
- Number of passengers
- Brief particulars of voyage
- Date and time of arrival, or date of departure
- Port of arrival or departure
- Position of the ship in the port.

H.28 (C.21) Authentication of General Declaration

Convention on Facilitation of International Maritime Traffic, 1965, Annex B(2.2.3) Standard - Public authorities shall accept a General Declaration dated and signed by the master, the ship's agent or some other person duly authorized by the master.

H.29 (C.22) Reduced number of copies of declaration of arrival

Kyoto Convention, Annex A.3(21) Standard - The Customs authorities shall reduce, as far as possible, the number of copies of the declaration of arrival required to be submitted to them.

H.30 (C.23) Number of copies of General Declaration (5)

Convention on Facilitation of International Maritime Traffic, 1965, Annex B(2.10) Standard - In respect of a ship's arrival in port, public authorities shall not require more than:

- 5 copies of the General Declaration
- 4 copies of the Cargo Declaration
- 4 copies of the Ship's Stores Declaration
- 2 copies of the Crew's Effects Declaration
- 4 copies of the Crew List
- 4 copies of the Passenger List
- 1 copy of the Maritime Declaration of Health.

Convention on Facilitation of International Maritime Traffic, 1965, Annex B(2.11) Standard - In respect of a ship's departure from port, public authorities shall not require more than:

- 5 copies of the General Declaration
- 4 copies of the Cargo Declaration
- 3 copies of the Ship's Stores Declaration
- 2 copies of the Crew List
- 2 copies of the Passenger List.

H.31 (C.24) Use of Cargo Declaration for arrival and departure

Convention on Facilitation of International Maritime Traffic, 1965, Annex B(2.3) Standard - The Cargo Declaration shall be the basic document on arrival and departure providing information required by public authorities relating to the cargo.

H.32 (C.25) Separate advice of dangerous goods

Convention on Facilitation of International Maritime Traffic, 1965, Annex B(2.3) **Standard** - The Cargo Declaration shall be the basic document on arrival and departure providing information required by public authorities relating to the cargo. However, particulars of any dangerous cargo may also be required to be furnished separately.

H.33 (C.26) Information required on Cargo Declaration

Convention on Facilitation of International Maritime Traffic, 1965, Annex B (2.3.1) **Recommended Practice** - In the Cargo Declaration public authorities should not require more than the following information:

(a) on arrival
- Name and nationality of the ship
- Name of master
- Port arrived from
- Port where report is made
- Marks and numbers; number and kind of packages; quantity and description of the goods
- Bill of lading numbers for cargo to be discharged at the port in question
- Ports at which cargo remaining on board will be discharged
- Original ports of shipment in respect of goods shipped on through bills of lading

(b) on departure
- Name and nationality of the ship
- Name of master
- Port of destination
- In respect of goods loaded at the port in question: marks and numbers; number and kind of packages; quantity and description of the goods
- Bill of lading numbers for cargo loaded at the port in question.

H.34 (C.28) Number of copies of Cargo Declaration

Convention on Facilitation of International Maritime Traffic, 1965, Annex B(2.10) **Standard** - In respect of a ship's arrival in port, public authorities shall not require more than:

- 5 copies of the General Declaration
- 4 copies of the Cargo Declaration
- 4 copies of the Ship's Stores Declaration
- 2 copies of the Crew's Effects Declaration
- 4 copies of the Crew List
- 4 copies of the Passenger List
- 1 copy of the Maritime Declaration of Health.

Convention on Facilitation of International Maritime Traffic, 1965, Annex B(2.11) **Standard** - In respect of a ship's departure from port, public authorities shall not require more than:

- 5 copies of the General Declaration
- 4 copies of the Cargo Declaration
- 3 copies of the Ship's Stores Declaration
- 2 copies of the Crew List
- 2 copies of the Passenger List

H.35 (C.29) Authentication of Cargo Declaration

Convention on International Civil Aviation, Annex 9(2.4.2) - When a Contracting State has eliminated the Passenger Manifest and no longer requires the General Declaration (except for purposes of attestation) it shall accept, at the option of the operator, either a General Declaration or an appropriate attestation, signed by the authorized agent or pilot-in-command, on one page only of the Cargo Manifest. The attestation on the Cargo Manifest can be provided by means of a rubber stamp.

Convention on Facilitation of International Maritime Traffic, 1965, Annex B(2.3.3) Standard - Public authorities shall accept a Cargo Declaration dated and signed by the master, the ship's agent or some other person duly authorized by the master.

H.36 (C.30) Manifest in lieu of Cargo Declaration

Convention on International Civil Aviation, Annex 9(2.4.2) - When a Contracting State has eliminated the Passenger Manifest and no longer requires the General Declaration (except for purposes of attestation) it shall accept, at the option of the operator, either a General Declaration or an appropriate attestation, signed by the authorized agent or pilot-in-command, on one page only of the Cargo Manifest. The attestation on the Cargo manifest can be provided by means of a rubber stamp.

Convention on Facilitation of Maritime Traffic, 1965, Annex B(2.3.4) Recommended Practice - Public authorities should accept in place of the Cargo Declaration a copy of the ship's manifest provided it contains all the information required in accordance with Recommended Practices 2.3.1 (H.33) and 2.3.2 (H.10) and is dated and signed in accordance with Standard 2.3.3 (H.35).

H.37 (C.31) Separate advice of unmanifested parcels

Convention on Facilitation of International Maritime Traffic, 1965, Annex B (2.3.5) Recommended Practice - Public authorities should allow unmanifested parcels in possession of the master to be omitted from the Cargo Declaration provided that particulars of these parcels are furnished separately.

H.38 (C.32) Acceptance of bill of lading as alternative to Cargo Declaration

Convention on Facilitation of International Maritime Traffic, 1965, Annex B(2.3.4) Recommended Practice - As an alternative, public authorities may accept a copy of the bill of lading signed in accordance with Standard 2.3.3 (H.35) or certified as a true copy, if the nature and quantity of cargo makes this practicable and provided that any information in accordance with Recommended

Practices 2.3.1 (H.33) and 2.3.2 (H.10) which does not appear in such documents is also furnished elsewhere and duly certified.

H.39 (C.33, N.40) Acceptance of standard manifest

International Chamber of Shipping Standard Manifest Report and Recommendation, paragraph 2 - It is considered advantageous to have a model layout for a standard manifest for three main reasons: (a) Mechanization, (b) Simplification, (c) Facilitation.

H.40 (C.34) No departure declaration for cargo remaining on board

Convention on Facilitation of International Maritime Traffic, 1965, Annex B (2.11.1) Recommended Practice - A new Cargo Declaration should not be required on departure from a port in respect of cargo which has been the subject of a declaration on arrival in that port and which has remained on board.

Group I - Measures relating to official requirements for imported goods

I. FORMALITIES

I.1 Minimum Customs control of imported goods

Kyoto Convention, Annex A.1(9) Standard - Customs control in respect of imported goods shall be reduced to the minimum.

Working Party on Facilitation of International Trade Procedures, Recommendation No. 13 -
The Working Party ...

Being aware that the Customs Co-operation Council has sought in the annexes to the International Convention of the Simplification and Harmonization of Customs Procedures (Kyoto Convention), and especially in Annex B.1, to encourage Customs authorities to grant special facilities for the expeditious clearance of goods;
...

Recommends to governments to take note of the provisions contained in the Kyoto Convention and especially in Annex B.1 concerning clearance for home use and to examine the possibility of introducing them into their national legislation.

I.2 (I.42) Minimum use of preshipment inspection (PSI)

Working Party on Facilitation of International Trade Procedures, Recommendation No. 18, paragraph 8.2 - The present trend towards increased pre-shipment inspection of goods for purposes other than phytosanitary, sanitary and veterinary control causes serious concern because of its implications in the form of costs and delays. This practice should be discouraged; when there is legitimate need for inspection the authorities concerned should accept certificates issued by official control bodies in the country of export.

I.3 Avoidance of repetitive PSI for similar goods

Working Party on Facilitation of International Trade Procedures, Document TRADE/WP.4/R.821/.Rev.1, paragraph 57 - (viii) Having regard to the widespread use of selective examination based on risk analysis in Customs work, developing countries which require goods to be inspected before shipment should be selective in requiring it, having reference to factors such as the record and status of the exporter and importer and the frequency with which the commodity concerned is imported.

I.4 General security for goods in temporary store

Kyoto Convention, Annex A.2(8) Standard - When security is required from the authority or person managing a temporary store, the Customs authorities shall accept a general security.

I.5 No security if Customs control temporary store

Kyoto Convention, Annex A.2(10) Recommended Practice - The Customs authorities should waive security where the temporary store is under adequate Customs supervision, in particular where it is Customs locked.

I.6 No duty on goods destroyed in temporary store

Kyoto Convention, Annex A.1(21) Standard - Total or partial exemption, as the case may be, from payment of import duties and taxes shall be granted in respect of goods damaged, destroyed or irrecoverably lost by accident or force majeure during the accomplishment of the Customs formalities prior to the lodgement of the Goods declaration provided that the facts are duly established to the satisfaction of the Customs authorities.

I.7 Duty relief on goods damaged in temporary store

Kyoto Convention, Annex A.1(21) Standard - Total or partial exemption, as the case may be, from payment of import duties and taxes shall be granted in respect of goods damaged, destroyed or irrecoverably lost by accident or force majeure during the accomplishment of the Customs formalities prior to the lodgement of the goods declaration provided that the facts are duly established to the satisfaction of the Customs authorities.

Note: At the request of the person concerned remnants of goods covered by this Standard may be:

(a) cleared for home use in their existing state as if they had been imported in that state; or
(b) re-exported; or
(c) rendered commercially valueless under Customs control, without expense to the Revenue; or
(d) with the consent of the Customs authorities, abandoned free of all expenses to the Revenue.

I.8 Customs not to require transport document

Working Party on Facilitation of International Trade Procedures, Recommendation No. 18 (9.9) - National authorities in importing countries should amend regulations, where necessary, in order to permit the release of goods to the importer without the necessity of handing over a bill of lading or any other transport document. Where there is currently a need to use transport documents to meet import regulations, the reasons should be investigated and alternative methods adopted.

I.9 No penalty for inadvertent declaration errors

Kyoto Convention, Annex B.1(43) Standard - If the Customs authorities find that errors in the Goods declaration entail liability to additional import duties and taxes, the production of additional supporting documents or the application of additional laws or regulations, and there is no evidence of illegal intent, they shall inform the declarant without delay. Where they are satisfied that the errors were inadvertent and that there has not been gross negligence on the part of the declarant, they shall allow him to amend his declaration and accomplish the necessary additional formalities without imposing a penalty.

I.10 (H.11) No duty on air transport ground equipment

Convention on International Civil Aviation, Annex 9 (4.44) Recommended Practice - Ground equipment and security equipment imported into the territory of a Contracting State by an airline of another Contracting State for use within the limits of an international airport in connexion with the establishment or maintenance of an international service operated by that airline should be admitted free of Customs duties and, as far as possible, other taxes and charges, subject to compliance with the regulations of the Contracting State concerned. Such regulations should not unreasonably interfere with the necessary use by the airline concerned of such ground equipment and security equipment.

(A Note gives a list of items of the kind that should be admitted under this provision).

I.11 (H.12) No duty on air transport training equipment

Convention on International Civil Aviation, Annex 9 (4.45) Recommended Practice - Instructional material and training aids imported by an airline of another Contracting State into the territory of a Contracting State for use in connexion with the technical training of ground and flight personnel required to establish and maintain an international service operated by that airline should be admitted free of Customs duties and other taxes and charges, subject to compliance with the regulations of the Contracting State concerned.

(A Note gives a list of items of the kind that should be admitted under this provision).

II PROCEDURES

I.12 Designated offices for Customs clearance

Kyoto Convention, Annex A.1(13) Standard - The Customs authorities shall designate the Customs offices at which goods may be produced to the Customs. In determining the competence of these offices and their hours of business, the factors to be taken into account shall include the particular requirements of trade and industry and transport.

I.13 Imported air cargo of low value and weight not to need clearance documents or duty payment

Convention on International Civil Aviation, Annex 9 (4.23) Recommended Practice - Each Contracting State should make arrangements whereby imported air cargo including private gift packages and trade samples, not exceeding a certain value or weight specified by that State, will be exempt, as far as possible, from governmental clearance documents and facilitate their prompt clearance and release to the consignee or his agent. Such value or weight limitation should be set at a level as high as possible.

Convention on International Civil Aviation, Annex 9(4.23.1) Recommended Practice - Contracting States should exempt those shipments referred to in 4.23, as far as possible, from import duties and other taxes and charges.

I.14 Use of inspection services in importing country

Working Party on Facilitation of International Trade Procedures, Document TRADE/WP.4/R.821/Rev.1, paragraph 57 - (v) When developing countries need to use the expertise of inspection companies, it should be noted that checks on the value and tariff classification of goods do not necessarily have to be done before shipment, and that they can in some circumstances be done effectively by the inspection company at the time of importation.

(vii) In view of the fact that under-declarations of value, unlike over-declarations, can be effectively dealt with in the importing country, developing countries should normally call for PSI only when the value of the goods needs to be verified before shipment because it is felt that the price stated on a documentary credit may have to be reduced before payment is made against shipping documents.

I.15 High threshold for preshipment inspection

Working Party on Facilitation of International Trade Procedures, Document TRADE/WP.4/R.821/Rev.1, paragraph 57 - (vi) In the interests of cost effectiveness, a high threshold should be set for PSI.

I.16 Duration in temporary store

Kyoto Convention, Annex A.2(14) Standard - Where national legislation lays down a time limit for temporary storage, the time allowed shall be sufficient to enable the importer to complete the necessary formalities to place the goods under a Customs procedure.

Kyoto Convention, Annex A.2(15) Recommended Practice - At the request of the person concerned, and for reasons deemed valid by the Customs authorities, the latter should extend the period initially fixed.

I.17 (B.7) Simultaneous Customs, veterinary and phytosanitary controls

Convention on International Civil Aviation, Annex 9(4.28) Recommended Practice - Where the nature of the consignment calls for different clearance agencies, e.g. Customs and veterinary or phytosanitary controls, Contracting States should endeavour to delegate authority for clearance to one of the agencies or, where not feasible, take all necessary steps to ensure that clearance is carried out simultaneously and with a minimum of delay.

International Convention on the Harmonization of Frontier Controls of Goods, 1982, Article 4 - The Contracting Parties should undertake, to the extent possible, to organize in a harmonized manner the intervention of the Customs services and the other control services.

Kyoto Convention, Annex B.1(34) Recommended Practice - If the goods must also be inspected by other competent authorities (for the purpose of applying veterinary, health, phytopathological, etc., controls), the Customs should, where possible, perform their examination at the same time.

I.18 Simpler port and border clearance en route to Inland Clearance Depots (ICDs)

Working Party on Facilitation of International Trade Procedures, Recommendation No.18, paragraph 9.14 - Customs authorities should allow goods to pass through port and other border crossing points under cover of a normal commercial document or transit document, for clearance inland at approved depots or on importer's premises.

I.19 Immediate release to importer's premises

Working Party on Facilitation of International Trade Procedures, Recommendation No.13 - The Working Party ...

Recalling that in some countries special procedures have been introduced whereby detailed physical inspection of goods and presentation of the formal evidence at the point of importation are no longer required, allowing approved importers to take the goods directly to their own premises, sometimes on a deferred payment basis, on condition that:

- the goods may be inspected;
- the Import Declaration and satisfactory supporting evidence are made available when required;
- such information is retained for later verification; and
- security of payment and responsibility for the goods are assured;

...

Recommends to governments to take account of the developments referred to above with a view to the further promotion of all steps which would facilitate international trade procedures.

Working Party on Facilitation of International Trade Procedures, Recommendation No.18, paragraph 9.16 - Customs authorities should study the advantage of immediate release systems for Customs clearance, allowing goods to be taken directly to the importer's premises for immediate disposal against the submission of a simplified Customs document or on the presentation of an administrative or commercial document which permits the identification of the goods in question. Such release should be subject to later submission of a proper declaration, which may be in computer-readable form. The release should not prejudice possible future Customs controls, including periodic controls on the importer's premises of the goods and of the importer's records.

I.20 Clearance at importer's premises

Working Party on Facilitation of International Trade Procedures, Recommendation No.18, paragraph 9.17 - To ease bottlenecks, Customs authorities should study the systems whereby approved importers are allowed to bring sealed transport units to their premises under a release note; meanwhile, the Customs declaration is lodged with the importer's local Customs office and the goods can be used if the Customs have not visited the premises for inspection within a specified short period of time.

I.21 Person to make declaration

Kyoto Convention, Annex B.1(6) Recommended Practice - Any person having the right to dispose of the goods should be entitled to act as declarant.

Note: - The Customs authorities may require the declarant to establish his right to dispose of the goods.

I.22 Responsibilities and rights of declarant

Kyoto Convention, Annex B.1(7) Standard - The declarant shall be held responsible to the Customs authorities for the accuracy of the particulars given in the Goods declaration and payment of the import duties and taxes.

Kyoto Convention, Annex B.1(8) Standard - Before lodging the Goods declaration the declarant shall be authorized, under such conditions as may be laid down by the Customs authorities: (a) to inspect the goods and (b) to draw samples.

I.23 Acceptance of declaration before arrival of goods

Kyoto Convention, Annex B.1(24) Recommended Practice - The declarant should be authorized to lodge a Goods declaration for home use at a competent Customs office before the goods arrive at that office.

Note: - Authority may also be given for lodgement of the declaration before the goods arrive in the Customs territory.

Convention on International Civil Aviation, Annex 9(4.26) Recommended Practice - Procedures should be developed for the submission of pre-import information to Customs prior to arrival of cargo in order to facilitate the processing of entries.

I.24 Customs to give information on clearance procedure

Kyoto Convention Annex B.1(65) Standard - The Customs authorities shall ensure that all relevant information concerning the clearance for home use procedure is readily available to any person interested.

I.25 No separate declaration for samples taken

Kyoto Convention, Annex B.1(9) Recommended Practice - The Customs authorities should not require a separate Goods declaration for home use in respect of samples allowed to be drawn under Customs supervision provided that such samples are included in the Goods declaration for home use concerning the relevant consignment and that this declaration is lodged within the prescribed time limit.

I.26 Periodic home use declarations

Kyoto Convention, Annex B.1(25) Recommended Practice - Where goods are imported frequently by the same person, the Customs authorities should allow a single Goods declaration to cover all importations by that person in a given period.

Notes: - The Customs authorities may make this facility subject to the condition that the importer keeps proper commercial records (e.g. by means of computers) and that the necessary control measures can be taken.

- If the Customs authorities grant this facility, they may require the declarant to produce, at each importation, a commercial or official document (commercial invoice, waybill, despatch note, etc.) giving the main particulars of the consignment concerned.

I.27 (E.21) Periodic import declarations by ADP

Working Party on Facilitation of International Trade Procedures, Recommendation No.18, paragraph 9.5 - Importers' forwarders/Customs brokers should investigate the benefits of periodic lodgment of import declarations (including those for goods released from private bonded warehouses) in computer-readable form.

I.28 Abolition of consular invoices and fees

Convention on International Civil Aviation, Annex 9(4.21) - Contracting States shall not require consular formalities or consular charges or fees in connection with documents for the clearance of air cargo.

General Agreement on Tariffs and Trade, Article VIII(1)(c) - The Contracting Parties also recognize the need for minimizing the incidence and complexity of import and export formalities and for decreasing and simplifying import and export documentation requirements. **Article VIII(4)** - The provisions of this Article shall extend to fees, charges, formalities and requirements imposed by governmental authorities in connexion with importation and exportation, including those relating to (a) consular transactions, such as consular invoices and certificates.

Working Party on Facilitation of International Trade Procedures, Recommendation No. 18(8.3) - Consular invoices, consular visa requirements and consular fees should be abolished. (See also C.9, H.22 and C.10, H.23.)

I.29 Prompt examination of goods

Kyoto Convention, Annex B.1(32) Standard - Where the Customs authorities decide that goods declared for home use shall be examined, this examination shall take place as soon as possible after the Goods declaration has been accepted.

I.30 Priority examination of live animals, perishables, etc

Kyoto Convention, Annex B.1(33) Recommended Practice - Priority should be given to the examination of live animals, perishable goods and other urgent consignments.

Convention on International Civil Aviation, Annex 9(4.27) - Contracting States shall, subject to compliance with any national prohibitions or restrictions and any required aviation security or appropriate narcotics control measures, make arrangements whereby special air cargo consignments, e.g. disaster relief shipments, perishable goods (livestock, plants, foodstuffs, etc) can be released and/or cleared immediately upon arrival.

I.31 Selective examination of goods

Kyoto Convention, Annex B.1(38) Standard - When examining goods, the Customs authorities shall take only such action as they deem essential to ensure compliance with the laws and regulations which the Customs are responsible for enforcing.

Notes: - The examination of goods may be either summary or detailed. In a summary examination the Customs may carry out some, though not necessarily all, of the following checks - counting the packages, noting their marks and numbers and ascertaining the description of the goods. Detailed examination involves thorough inspection of the goods to determine as accurately as possible their composition, quantity, tariff heading, value, and, where necessary, origin.

- Detailed examination of the goods is warranted, in particular, where the Customs authorities are not satisfied about the accuracy of particulars furnished in the declaration or in the supporting documents.
- goods liable to high import duties and/or taxes may be regularly subjected to detailed examination.

Convention on International Civil Aviation, Annex 9(4.30) - Contracting States shall accomplish their physical examination of cargo imported by air on a sampling or selective basis. The appropriate public authorities of the State concerned shall also, in consultation with, inter alia, operators and airport administrations, devise physical means for carrying out such examination rapidly.

I.32 Clearance by summary examination whenever possible

Kyoto Convention, Annex B.1(39) Recommended Practice - The Customs authorities should in as many cases as possible be content with a summary examination of goods declared for home use.

Note: - Summary examination may be considered sufficient, for example, where goods of the same description are imported frequently by a person known by the Customs to be reliable, where the accuracy of the particulars given in the declaration can be checked against the supporting documents or against other evidence, or where the import duties and taxes involved are low.

I.33 Detailed examination by selective methods

Kyoto Convention, Annex B.1(40) Recommended Practice - Where the Customs authorities carry out a detailed examination of goods shown in a declaration relating to a consignment consisting of many packages and covered by a packing list or other similar document, such examination should normally be undertaken on a random basis.

Note: - The Customs authorities may decide, having regard to the staff available, that consignments of goods declared for home use will be subjected to detailed examination by a selective technique.

I.34 (E.17) Customs to use ADP selection criteria

Kyoto Convention, Annex J.1(17) Recommended Practice - The Customs authorities should consider incorporating Customs selectivity criteria in Customs ADP systems, in particular to facilitate the identification of Goods declarations for checking or of consignments for examination.

I.35 Duty payment by means other than cash

Kyoto Convention, Annex B.1(49) Recommended Practice - The Customs authorities should permit payment other than in cash.

Note: - Authorized methods of payment other than cash may include bank or postal cheques, payments and transfers.

I.36 Deferred duty payments

Kyoto Convention, Annex B.1(51) Recommended Practice - Persons who regularly clear goods for home use should be authorized to defer payment of import duties and taxes without interest charges.

Note: - A person given the benefit of this facility may be required to furnish security in an amount determined by the Customs authorities.

I.37 Proof of duty payment to be issued

Kyoto Convention, Annex B.1(56) Standard - When the import duties and taxes have been paid a receipt constituting proof of payment shall be issued to the payer.

Note: - The receipt may be given on the declarant's copy of the declaration.

I.38 Refund of overpayments

Kyoto Convention, Annex B.1(42) Standard - If the Customs authorities find that errors in the Goods declaration or in the assessment of the import duties and taxes will cause or have caused the collection of an amount of import duties and taxes greater than that legally chargeable they shall repay or remit the amount overcharged, or shall inform the declarant so that he may amend the declaration or lodge a claim for repayment or remission, as the case may be.

III DOCUMENTS

I.39 Reduce documentary requirements

Convention on International Civil Aviation, **Annex** 9(4.17) - Contracting States shall endeavour to simplify documentary requirements for the clearance of import cargo and reduce to a minimum the variety of forms and the information to be shown thereon.

I.40 Simplified Customs documentation for air cargo up to specified value or weight

Convention on International Civil Aviation, Annex 9(4.24) - Contracting States shall make arrangements for the use of a simplified form of Customs documentation and facilitate prompt clearance and release in respect of that imported cargo, including private gift packages and trade samples, which exceeds the limits set in accordance with 4.23 (I.13) and shall establish higher limits of value or weight up to which such simplified documentation will apply.

I.41 Commercial invoice the basic document

Convention on International Civil Aviation, Annex 9(4.18) - The commercial invoice, which includes the information required by the importing country for the clearance of goods, shall constitute the basic document for the accomplishment of Customs or other governmental formalities.

I.42 (I.2) Preshipment inspection certificates to be issued by official control bodies in exporting country

Working Party on Facilitation of International Trade Procedures, Recommendation No. 18,paragraph 8.2 - The present trend towards increased pre-shipment inspection of goods for purposes other than phytosanitary, sanitary and veterinary control causes serious concern because of its implications in the form of costs and delays. This practice should be discouraged; when there is legitimate need for inspection the authorities concerned should accept certificates issued by official control bodies in the country of export.

I.43 Alignment of Customs import goods declarations

Convention on International Civil Aviation, Annex 9(4.17.1) Recommended Practice - Contracting States, in giving effect to 4.17 (I.39), should encourage to the maximum extent practicable, alignment of documents required for the clearance of import cargo with the United Nations Layout Key for Trade Documents, to follow the format set forth in Appendix 9 (to Annex 9) - United Nations Layout Key for Trade Documents.

Working Party on Facilitation of International Trade Procedures, Recommendation No. 18, paragraph 9.2 - National Customs import declarations should be aligned with the United Nations Layout Key, taking into account the aligned layout for goods declarations for home use specified in Appendix I to Annex B.1 of the International Convention on the Simplification and Harmonization of Customs Procedures (Kyoto, 1973).

Kyoto Convention, Annex B.1(11) Note 2 - When they are considering revision of present forms or preparation of new forms for Goods declarations for home use, Contracting Parties may use the layout key in Appendix I to (this) Annex.

I.44 Number of copies of goods declaration

Kyoto Convention, Annex B.1(13) Recommended Practice - The Customs authorities should reduce, so far as possible, the number of copies of the Goods declaration for home use required to be submitted by the declarant.

I.45 (E.19) Acceptance of ADP-prepared goods declaration

Working Party on Facilitation of International Trade Procedures, Recommendation No.18, paragraph 9.4 - Customs authorities in importing countries should implement the Recommendation (16 June 1981) of the Customs Co-operation Council concerning the transmission and authentication of goods declarations which are processed by computer. In consequence, and under conditions to be laid down by the Customs authorities, they should :

1. Allow declarants to use electronic or other automatic means to transmit to the Customs goods declaration for automatic processing. Such declarations may be transmitted either by direct link between the data processing systems of Customs and those of the declarant or on magnetic or other ADP media.

2. Accept that goods declarations which are transmitted by electronic or other automatic means to Customs be authenticated other than by handwritten signature.

I.46 Provisional declaration if all data not available

Kyoto Convention, Annex B.1(12) Recommended Practice - Where, for reasons deemed valid by the Customs authorities, the declarant does not have all the information required to make the Goods declaration for home use, he should be allowed to lodge a provisional or incomplete declaration provided that it contains the particulars deemed necessary by the Customs and that he undertakes to complete it within a specified period.

Note: - Where release is granted before all the necessary particulars have been supplied, the declarant may be required to furnish security for the payment of any sums that may become chargeable.

Convention on International Civil Aviation, Annex 9(4.25) Recommended Practice - Contracting States should make arrangements whereby the maximum number of consignments not falling under 4.23 and 4.24 (I.13, I.40) above can be released promptly after arrival upon presentation of a provisional entry document and an adequate guarantee for payment of duties and other taxes and charges, subject to complete fulfilment of Customs and other requirements within a time limit specified by that State.

I.47 Elimination of special Customs invoices

Working Party on Facilitation of International Trade Procedures, Recommendation No.18, paragraph 9.6 - Customs authorities should normally accept any commercial invoice containing the necessary details (whether or not aligned to the Aligned Invoice Layout Key) as a valid invoice for Customs clearance purposes; in countries where national Customs legislation prescribes a special document (other than a Goods declaration) in addition to the commercial invoice, the possibility of discontinuing this requirement should be studied. The model text for a declaration set out in paragraph 25 of the UN/ECE/FAL Recommendation No.6 on the Aligned Invoice Layout Key (*) should be accepted by Customs authorities and should replace current lengthy and different wordings.

(*) The recommended text reads as follows:

> "It is hereby certified that this invoice shows the actual price of the goods described, that no other invoice has been or will be issued and that all particulars are true and correct.".

I.48 Acceptance by Customs of one-run, ADP or EDI invoices

Working Party on Facilitation of International Trade Procedures, Recommendation No. 18, paragraph 9.8 - National authorities responsible for import procedures should implement the Recommendation (16 May 1979) of the Customs Co-operation Council concerning Customs requirements regarding commercial invoices and should, in consequence,

1. Accept commercial invoices produced by any process - for example, the one-run method, in cases where the presentation of the commercial invoice is required in connexion with the clearance of the goods;
2. Refrain from requiring a signature, for Customs purposes, on commercial invoices presented in support of a goods declaration.

I.49 No packing list if information on invoice

Working Party on Facilitation of International Trade Procedures, Recommendation No.18, paragraph 9.7 - Customs authorities should waive the requirement for a separate Packing list whenever the necessary packing details are already included in an invoice.

I.50 Customs or other official information not to be required on air waybill

Convention on International Civil Aviation, Annex 9(4.20) - Contracting States which require the air waybill to be presented for inspection in connexion with the clearance of cargo shall not require the consignor and/or operator to place special information for Customs or other governmental purposes on the air waybill.

Group J - Measures relating to the Customs clearance of exports

I. FORMALITIES

J.1 Evidence of arrival abroad not normally required

Kyoto Convention, Annex C.1(21) Standard - The Customs authorities shall not require evidence of the arrival of the goods abroad as a matter of course.

Note: - Where such evidence is required, it may consist of a statement supplied by the consignee and certified by the Customs authorities in the country of destination.

J.2 Certified cargo manifest not to be evidence of arrival abroad

Convention on International Civil Aviation, Annex 9(4.16) - Where goods are exported from a Contracting State, free of taxes or duties which would be payable in the absence of exportation, and that State requires evidence of the arrival abroad of such goods, it shall accept as such evidence a statement supplied by the shipper or consignee and certified by the Customs authorities in the State of destination. In any event, the Contracting State shall not require a certified cargo manifest as such evidence of arrival at destination.

II PROCEDURES

J.3 Acceptance of goods declarations at inland offices

Kyoto Convention, Annex C.1(4) Standard - The Customs authorities shall allow goods for outright exportation to be declared at inland offices.

J.4 Clearance at any approved Customs office

Convention on International Civil Aviation, Annex 9(4.15) - Contracting States shall permit cargo, including unaccompanied baggage which is to be exported by air, to be presented for clearance purposes at any approved Customs office. Transfer from the first office to the air Customs office of the airport where the cargo, including unaccompanied baggage, is to be laden on the aircraft, shall be effected in accordance with the procedure laid down in the laws and regulations of the State concerned. Such procedure shall be as simple as possible, making due allowance for security requirements, and any appropriate narcotics control measures.

J.5 Period export declarations

Kyoto Convention, Annex C.1(14) Standard - Where a person frequently exports goods, the Customs authorities shall allow, under such conditions as may be laid down by them, a single Goods declaration, or a consolidated return setting out the necessary particulars, to cover all exportations by that person in a given period.

Note: - The Customs authorities may grant this facility subject to the conditions that the exporter keeps proper commercial records and that the necessary control measures can be taken. The Customs authorities may require the declarant to produce, at each exportation, a copy of the transport document or some other supporting document. The Customs authorities may accept consolidated returns produced by ADP techniques.

J.6 No export delay for minor information omission

Kyoto Convention, Annex C.1(20) Recommended Practice - The exportation of goods should not be delayed on the grounds that the Goods declaration is incomplete or minor irregularities have been found in documentation, provided that the interests of the Revenue, essential controls or any export prohibitions or restrictions in force are not affected.

J.7 Whenever possible, no export examination

Convention on International Civil Aviation, Annex 9(4.13) - Except for reasons of aviation security Contracting States shall not normally require physical examination of cargo, including unaccompanied baggage, to be exported by air.

Note: - This provision is not intended to prevent authorities from examining goods exported under certain conditions, e.g. under bond, licence or drawback, nor is it intended to preclude other essential examinations, including any appropriate narcotics control measures.

J.8 Minimum examination of exports

Kyoto Convention, Annex C.1(15) Standard - The Customs authorities shall limit the examination of the goods to cases where they deem it essential to ensure compliance with the laws and regulations which the Customs are responsible for enforcing.

Convention on International Civil Aviation, Annex 9(4.14) - In Contracting States where physical examination of export cargo cannot be waived completely, such examination shall be accomplished by applying the sampling or selective technique in a most liberal manner. The appropriate public authorities of the State concerned shall also, in consultation with, inter alia, operators and airport administrations, devise physical means for carrying out the inspection rapidly and without necessitating a separate ground handling of the bulk of the goods for purposes of examination.

J.9 Loading up to time of aircraft departure

Convention on International Civil Aviation, Annex 9(4.11) - Contracting States shall make arrangements consistent with aviation security, as well as those appropriate for narcotics control, which permit operators to select and load cargo, including unaccompanied baggage, and stores on outbound aircraft up to the time of departure.

III DOCUMENTS

J.10 Waive presentation of individual documents

Convention on International Civil Aviation, Annex 9(4.9) Recommended Practice -Contracting States should waive, as far as possible, presentation of individual documents pertaining to shipments of cargo including unaccompanied baggage to be exported by air.

J.11 (A.6, D.19, N.26) Alignment of documents with United Nations Layout Key (ISO 6422)

Convention on International Civil Aviation, Annex 9(4.9.1) Recommended Practice - Contracting States, in giving effect to 4.9, should encourage to the maximum extent practicable, alignment of documents required for the clearance of export cargo with the United Nations Layout Key for Trade Documents, to follow the format set forth in Appendix 9 (to Annex 9) - United Nations Layout Key for Trade Documents.

J.12 Limitation of documents to simple export declaration

Convention on International Civil Aviation, Annex 9(4.10) - A Contracting State which continues to require such documents for export clearance shall, for as many types of goods as possible, limit its requirements to a simple export declaration.

J.13 Number of copies of export declaration

Kyoto Convention, Annex C.1(12) Recommended Practice - The Customs authorities should reduce, so far as possible, the number of copies of the Goods declaration or the commercial document required to be lodged by the declarant.

Group K - Measures relating to the origin of the goods

I. FORMALITIES

K.1 No unnecessary certification of origin

Kyoto Convention, Annex D.2(2) Standard - Documentary evidence of origin may be required only when it is necessary for the application of preferential Customs duties, of economic or trade measures adopted unilaterally or under bilateral or multilateral agreements or of measures adopted for reasons of health or public order.

Working Party on Facilitation of International Trade Procedures, Recommendation No 18(8.5) - Declarations or certifications of origin on commercial invoices or on specific forms should be required only where this is essential for the proper application of trade policy measures or for the prevention of fraud. When such declarations or certificates are deemed indispensable, the competent authority should apply a simple measure that provides the minimum of control considered as sufficient for the particular case. Preferably, an exporter's declaration of origin on the commercial invoice should be accepted.

K.2 Certification on invoice when possible

Working Party on Facilitation of International Trade Procedures, Recommendation No. 18(8.5) - Declarations or certifications of origin on commercial invoices or on specific forms should be required only where this is essential for the proper application of trade policy measures or for the prevention of fraud. When such declarations or certificates are deemed indispensable, the competent authority should apply a simple measure that provides the minimum of control considered as sufficient for the particular case. Preferably, an exporter's declaration of origin on the commercial invoice should be accepted.

K.3 Acceptance of declaration of origin

Kyoto Convention, Annex D.2(12)(1) Recommended Practice - When documentary evidence of origin is required, a declaration of origin should be accepted in the following cases:

a) goods sent in small consignments addressed to private individuals or carried in travellers' baggage, provided that such importations are of a non-commercial nature and the aggregate value of the importation does not exceed an amount which shall be not less than USD 500;

(b) commercial consignments the aggregate value of which does not exceed an amount which shall not be less than USD 300.

K.4 Minimization of requirements for marks of origin

General Agreement on Tariffs and Trade, Article IX(2) - The contracting parties recognize that, in adopting and enforcing laws and regulations relating to marks of origin, the difficulties and inconveniences which such measures may cause to the commerce and industry of exporting countries should be reduced to a minimum, due regard being had to the necessity of protecting consumers against fraudulent or misleading indications.

K.5 Information on origin requirements

Kyoto Convention, Annex D.2(14) - The competent authorities shall ensure that all relevant information regarding the requirements with respect to documentary evidence of origin is readily available to any person interested.

II. PROCEDURES

K.6 Documentary control only

Working Party on Facilitation of International Trade Procedures, Recommendation No.18(9.20) - Where they are deemed necessary, controls of origin at importation should be effected on the basis of relevant documents. Physical examination of goods should be carried out at random or in cases where fraud or irregularities are suspected.

III. DOCUMENTS

K.7 Alignment of certificates of origin

Kyoto Convention, Annex D.2(6)(1) Recommended Practice - When revising present forms or preparing new forms of certificates of origin, Contracting Parties should use the model form in Appendix I to (this) Annex, in accordance with the Notes in Appendix II, and having regard to the Rules in Appendix III.

Note: - Appendix II specifies, *inter alia*, paper size and explains how to fill in the boxes on the form. Appendix III includes Rules for the establishment of certificates of origin.

Working Party on Facilitation of International Trade Procedures, Recommendation No. 18(8.5) - If a separate form for certificate of origin is required, it should be based on defined criteria and designed in accordance with the model contained in Annex D.2 of the Kyoto Convention.

K.8 Certificate of origin on plain paper

Working Party on Facilitation of International Trade Procedures, Recommendation No 18(8.5) - It should be permitted to produce certificates on plain paper in a one-run system using a photocopier; printing of forms on security paper should not be required.

Group L - Measures relating to transhipment goods

I FORMALITIES

L.1 No duty on transhipped goods

Kyoto Convention, Annex E.2(3) Standard - Goods admitted to transhipment shall not be subjected to the payment of import duties and taxes or export duties and taxes provided the conditions laid down by the Customs authorities are complied with.

L.2 Declarant to choose form of security

Kyoto Convention, Annex E.2(11) Standard - The form in which security, if any, is to be provided for the purposes of transhipment shall be laid down in national legislation or determined by the Customs authorities in accordance with national legislation.

Kyoto Convention, Annex, E.2(12) Recommended Practice - The choice between the various acceptable forms of security should be left to the declarant.

L.3 General security for regular transhipments

Kyoto Convention, Annex E.2(14) Standard - When security is required to ensure that the obligation arising from several transhipment operations will be fulfilled, the Customs authorities shall accept a general security.

Kyoto Convention, Annex E.2(15) Recommended Practice - The amount of security should be set as low as possible having regard to the import duties and taxes or export duties and taxes potentially chargeable.

L.4 No duty on destroyed transhipment goods

Kyoto Convention, Annex E.2(24) Standard - Total or partial exemption, as the case may be, from payment of any import duties and taxes normally chargeable shall be granted in respect of goods damaged, destroyed or irrecoverably lost by accident or *force majeure* or short for reasons due to their nature during a transhipment operation provided that the facts are duly established to the satisfaction of the Customs authorities.

L.5 Reduced duty if goods damaged and not exported

Kyoto Convention, Annex E.2(24) Standard - Total or partial exemption, as the case may be, from payment of any import duties and taxes normally chargeable shall be granted in respect of goods damaged, destroyed or irrecoverably lost by accident or *force majeure* or short for reasons due to their nature during a transhipment operation provided that the facts are duly established to the satisfaction of the Customs authorities.

Note: - At the request of the person concerned, remnants of goods covered by this standard may be :

(a) cleared for home use in their existing state as if they had been imported in that state; or
(b) exported; or
(c) rendered commercially valueless under Customs control, without expense to the Revenue;
or
(d) with the consent of the Customs authorities, abandoned free of all expenses to the Revenue.

II PROCEDURES

L.6 Normally no examination of transhipments

Kyoto Convention, Annex E.2(16) Recommended Practice - Goods declared for transhipment should be examined by the Customs authorities only where there are special circumstances in which examination is deemed to be necessary.

L.7 Normally no escort of transhipments

Kyoto Convention, Annex E.2(18) Standard - Only when they consider such a measure to be indispensable shall the Customs authorities:

(a) require goods to follow a prescribed itinerary; or

(b) require goods to be transported under escort.

Group M - Measures relating to goods in international transit

I FORMALITIES

M.1 Freedom of transit to be allowed

General Agreement on Tariffs and Trade, Article V(2) - There shall be freedom of transit through the territory of each Contracting Party, via the routes most convenient for international transit, for traffic in transit to or from territory of other Contracting Parties.

M.2 No distinction based on flag, origin, ownership, etc.

General Agreement on Tariffs and Trade, Article V(2) - No distinction shall be made which is based on the flag of vessels, the place of origin, departure, entry, exit or destination, or on any circumstances relating to the ownership of goods, of vessels or of other means of transport.

M.3 No unnecessary delays or restrictions

General Agreement on Tariffs and Trade, Article V(3) - Except in cases of failure to comply with applicable Customs laws and regulations, such traffic coming from or going to the territory of other Contracting Parties shall not be subject to any unnecessary delays or restrictions.

M.4 Exemption from Customs duties

General Agreement on Tariffs and Trade, Article V(3) - Except in case of failure to comply with applicable Customs laws and regulations, such traffic coming from or going to the territory of other Contracting Parties... shall be exempt from Customs duties and from all transit duties or other charges imposed in respect of transit, except charges for transportation or those commensurate with administrative expenses entailed by transit or with the cost of services provided.

Kyoto Convention, Annex E.1(4) Standard - Goods being carried under Customs transit shall not be subject to the payment of import duties or taxes provided the conditions laid down by the Customs authorities are complied with.

TIR Convention, Article 4 - Goods carried under the TIR procedure shall not be subjected to the payment or deposit of import or export duties and taxes at Customs offices en route.

M.5 All charges for transportation commensurate with expenses

General Agreement on Tariffs and Trade, Article V(3) - Except in cases of failure to comply with applicable Customs laws and regulations, such traffic coming from or going to the territory of other Contracting Parties... shall be exempt from Customs duties and from all transit duties or other charges imposed in respect of transit, except charges for transportation or those commensurate with administrative expenses entailed by transit or with the cost of services provided.

M.6 Charges for administrative services commensurate with expenses

General Agreement on Tariffs and Trade, Article V(3) - Except in cases of failure to comply with applicable Customs laws and regulations, such traffic coming from or going to the territory of other contracting parties...shall be exempt from Customs duties and from all transit duties or other charges imposed in respect of transit, except charges for transportation or those commensurate with administrative expenses entailed by transit or with the cost of services provided.

M.7 Flat rate bonds for transit goods

Customs Convention on the International Transport of Goods under cover of TIR Carnets (TIR Convention), 1975, Article 8(3) - Each Contracting Party shall determine the maximum sum per TIR carnet, which may be claimed from the guaranteeing association...

Note: - Customs authorities are recommended to limit to a sum equal to USD 50,000 per TIR Carnet the maximum amount which may be claimed from the guaranteeing association.
- An increase in the guarantee limit (USD 200,000) for tobacco and alcohol is recommended by the UN/ECE Working Party on Customs Questions affecting Transport. New TIR Carnets will be issued to cover the transport of these commodities.

M.8 No routine calculation of duty on transit goods

Customs Convention on the International Transport of Goods under cover of TIR Carnets (TIR Convention), 1975, Article 8(3) and 8(6) - Each Contracting Party shall determine the maximum sum per TIR carnet, which may be claimed from the guaranteeing association...

For the purpose of determining the duties and taxes... , the particulars of the goods as entered in the TIR carnet shall, in the absence of evidence to the contrary, be assumed to be correct.

M.9 TIR Transit regime valid for all modes of transport

Customs Convention on the International Transport of Goods under cover of TIR Carnets (TIR Convention), 1975, Article 2 - This Convention shall apply to the transport of goods... in containers... provided that some portion of the journey between the beginning and the end of the TIR operation is made by road.

M.10 Declarant to choose form of security

Kyoto Convention, Annex E.1(14) Standard - The form in which security is to be provided for the purposes of Customs transit shall be laid down in national legislation or determined by the Customs authorities in accordance with national legislation.

Kyoto Convention, Annex E.1(15) Recommended Practice - The choice between the various acceptable forms of security should be left to the declarant.

M.11 General security for several transit operations

Kyoto Convention, Annex E.1(17) Standard - When security is required to ensure that the obligations arising from several Customs transit operations will be fulfilled, the Customs authorities shall accept a general security.

M.12 (H.13) Acceptance of foreign Customs seals on containers

Kyoto Convention, Annex E.1(26) Recommended Practice - Customs seals and identification marks affixed by foreign Customs authorities should be accepted for the purposes of the Customs transit operation unless they are considered not to be sufficient or secure or the Customs authorities proceed to an examination of the goods. When foreign Customs seals and fastenings have been accepted in a Customs territory they should be afforded the same legal protection in that territory as national seals and fastenings.

M.13 Acceptance of approved foreign containers

Kyoto Convention, Annex E.1(21) Note - Transport-units are approved for the transport of goods under Customs seal pursuant to various international agreements such as the Customs Convention on Containers, done at Geneva on 18 May 1956(*), the Customs Convention on the international transport of goods under cover of TIR Carnets, done at Geneva on 15 January 1959(**), the Unité technique des chemins de fer, concluded at Berne in May 1886, 1960 edition, and the Regulations (21 November 1963 version) of the Central Rhine Commission concerning the sealing of Rhine navigation vessels. They may be approved in the future pursuant to agreements which may supersede the foregoing. Additional arrangements for approval may be made by countries by bilateral or multilateral agreement for transport-units to be used for the purposes of Customs transit solely in their territories, for example in respect of containers which have an internal volume of less than one cubic metre but which in all other respects qualify for Customs treatment as containers.

(*) Revised in 1972
(*) Revised in 1975

M.14 Normally no technical standards controls

International Convention on the Harmonization of Frontier Controls of Goods, 1982, Annex 5, Article 5 - The controls of compliance with technical standards do not normally apply to goods in through transit.

M.15 (B.4) Normally no medico-sanitary inspection

International Convention on the Harmonization of Frontier Controls of Goods, 1982, Annex 2 Article 4 - Within the framework of Conventions in force, the Contracting Parties shall, as far as possible, dispense with the medico-sanitary inspection of goods in transit in those circumstances where there is no risk of contamination.

M.16 (B.5) Normally no veterinary inspection

International Convention on the Harmonization of Frontier Controls of Goods, 1982, Annex 3 Article 5 - Within the framework of Conventions in force the Contracting Parties shall, as far as possible, dispense with the veterinary inspection of goods in transit in those circumstances where there is no risk of contamination.

M.17 (B.6) Normally no phytosanitary inspection

International Convention on the Harmonization of Frontier Controls of Goods, 1982, Annex 4 Article 5 - Within the framework of Conventions in force the Contracting Parties shall, as far as possible, dispense with the phytosanitary inspection of goods in transit, unless such measures are necessary for the protection of their own plants.

M.18 Normally no quality controls

International Convention on the Harmonization of frontier Controls of Goods, 1982, Annex 6, Article 4 - Quality controls do not normally apply to goods in through transit.

M.19 No duty on transit goods accidentally lost or destroyed

Kyoto Convention, Annex E.1(30) Standard - Exemption from the payment of the import or export duties and taxes normally chargeable shall be granted when it is established to the satisfaction of the Customs authorities that goods being transported under Customs transit have been destroyed or irrecoverably lost by accident or by force majeure, or are short for reasons due to their nature.

Note: - Remnants of such goods may be:

(a) cleared for home use in their existing state as if they had been imported in that state; or
(b) re-exported; or
(c) abandoned free of all expenses to the Revenue; or
(d) destroyed or rendered commercially valueless under Customs control without expense to the Revenue;

as the Customs authorities may require.

II PROCEDURES

M.20 Priority clearance of transit goods

Working Party on Facilitation of International Trade Procedures, Recommendation No.18, paragraph 9.19 - Customs authorities should make arrangements so that vehicles carrying goods and passing through ports and other border crossings under a transit document need not await their turn among vehicles carrying goods which are not covered by such a document.

M.21 (B9) Shared facilities and joint controls at borders

International Convention on the Harmonization of Frontier Controls of Goods, 1982, Article 7 - Whenever a common inland frontier is crossed, the Contracting Parties concerned shall take appropriate measures, whenever possible, to facilitate the passage of the goods, and they shall, in particular:

(a) endeavour to arrange for the joint control of goods and documents through the provision of shared facilities.

M.22 (G.4) Correlation of business hours at borders

Kyoto Convention, Annex E.1(8) Recommended Practice - Where corresponding Customs offices are located on a common frontier, the Customs authorities of the two countries concerned should correlate the business hours and the competence of those offices for the purposes of Customs transit.

International Convention on the Harmonization of Frontier Controls of Goods, 1982, Article 7 - Whenever a common inland frontier is crossed, the Contracting Parties concerned shall take appropriate measures, whenever possible, to facilitate the passage of the goods, and they shall, in particular:

(b) endeavour to ensure that the following correspond:
  - opening hours of frontier posts,
  - the control services operating there,
  - the categories of goods, the modes of transport and the international Customs transit procedures accepted or in use there.

M.23 (G.5) Opening hours at border crossings

Working Party on Facilitation of International Trade Procedures, Recommendation No.18, paragraph 9.12 - Customs authorities should examine the possibility of keeping crossing points open on important international transit routes to enable cargo carried in accordance with international transit rules to pass such border points day and night.

M.24 Limitation of inspection

International Convention on the Harmonization of Frontier Controls of Goods, 1982, Article 10 - The Contracting Parties shall, wherever possible, provide simple and speedy treatment for goods in transit, especially for those travelling under cover of an international Customs transit procedure, by limiting their inspections to cases where these are warranted by the actual circumstances or risks.

TIR Convention, Article 5

1. Goods carried under the TIR procedure in sealed road vehicles, combinations of vehicles or containers shall not as a general rule be subjected to examination at Customs offices en route.

2. However, to prevent abuses, Customs authorities may in exceptional cases, and particularly when irregularity is suspected, carry out an examination of the goods at such offices.

M.25 Normally no escort of transit goods

Kyoto Convention, Annex E.1(23) Standard - Only when they consider such a measure to be indispensable shall the Customs authorities:

(a) require goods to follow a prescribed itinerary; or
(b) require goods to be transported under Customs escort.

TIR Convention, Article 23 - The Customs authorities shall not

- require road vehicles, combination of vehicles or containers to be escorted at the carrier's expense on the territory of their country ... except in special cases

M.26 Normally no need for prescribed itinerary

Kyoto Convention, Annex E.1(23) Standard - Only when they consider such a measure to be indispensable shall the Customs authorities:

(a) require goods to follow a prescribed itinerary; or
(b) require goods to be transported under Customs escort.

M.27 On completion, discharge of security without delay

Kyoto Convention, Annex E.1(28) Standard - When it has been established to the satisfaction of the competent Customs authorities that the person concerned has fulfilled his obligations, any security given shall be discharged without delay.

III DOCUMENTS

M.28 Commercial or transport document as descriptive part of transit declaration

Kyoto Convention, Annex E.1(13) Recommended Practice - Any commercial or transport document setting out clearly the necessary particulars should be accepted as the descriptive part of the Goods declaration for Customs transit.

Group N - Measures relating to commercial trade practices

I FORMALITIES

N.1 Use of standard trade terms

Working Party on Facilitation of International Trade Procedures, Recommendation No.18, paragraph 3.4 - Trading partners should make wider use of standard terms, such as INCOTERMS, and should avail themselves of relevant publications and training programmes issued by the ICC and other international bodies. To avoid possible future disputes, specific reference should be made to the applicable standard.

N.2 Use of standard conditions of sale

Working Party on Facilitation of International Trade Procedures, Recommendation No.18, paragraph 3.3 - Trading partners should use such standard conditions of sale or model contracts as are agreed internationally or within certain trades when they fairly represent the interests of all the parties concerned.

N.3 (D.5) Use of trade data elements internationally (ISO 7372)

United Nations Trade Data Elements Directory, paragraph 1.1 - The standard data elements included in the Directory are intended to facilitate interchange of data in international trade. These standard data elements can be used with any method of data interchange, on paper documents as well as with other means of data communication; they can be selected for transmission one by one, or used within a particular system of interchange rules, e.g. the United Nations syntax rules for Electronic Data Interchange For Administration, Commerce and Transport (UN/EDIFACT) developed within the ECE and published as International Standard ISO 9735.

N.4 (D.6) In-house use of standard data elements

Working Party on Facilitation of International Trade Procedures, Recommendation No.18, paragraph 1.1 - Standard data elements selected from the ECE/UNCTAD Trade Data Elements Directory or from corresponding national directories should be used to the extent possible in in-house documentary procedures related to international trade transactions.

N.5 (C.1) Use of Unique Identification Code (UNIC)

Working Party on Facilitation of International Trade Procedures, Recommendation No.8/Rev.1, - The Working Party... agreed to recommend

1. to the parties responsible for international trade transactions at different stages the use of a Unique Identification Code created in accordance with the provisions set out (in the body of the Recommendation No.8);

2. to governments and national trade facilitation organs

2.1 the promotion of the acceptance of the Unique Identification Code Methodology, e.g. by adopting it in relevant national official or private documentary procedures, including national series of standardized documents used in international trade, trade data interchange messages and, where possible, in the marking of shipments;

...

N.6 (D.8) Use of international country codes (ISO 3166)

Working Party on Facilitation of International Trade Procedures, Recommendation No.3 - The Working Party... recommends that the two-letter alphabetic codes referred to in the International Standard ISO 3166 as "ISO ALPHA-2 Country Code" should be used for representing the names of countries for purposes of International Trade whenever there is a need for a coded alphabetical designation.

N.7 (D.9) Use of international currency codes (ISO 4217)

Working Party on Facilitation of International Trade Procedures, Recommendation No.9 - The Working Party... agreed to recommend that Governments..., international organizations concerned, as well as other participants in international trade, should:

(a) accept and use the three-letter alphabetic codes of International Standard ISO 4217, "Codes for the representation of currencies and funds", for application in international trade; and

(b) encourage their use in commercial transactions when currencies are expressed in coded or abbreviated form.

N.8 (D.10) Use of INCOTERMS abbreviations

Working Party on Facilitation of International Trade Procedures, Recommendation No.5 - The Working Party... recommends that the abbreviations of the trade terms ... be accepted by governments and international organizations whenever these trade terms are referred to in abbreviated form and that their general acceptance and use be promoted.

N.9 (D.11) Use of codes for dates, times, periods of time (ISO 8601)

Working Party on Facilitation of International Trade Procedures, Recommendation No.7
- The Working Party... recommended Governments and international organizations to accept and use, and to promote the general acceptance of, the method set out of expressing dates, time and periods of time, whenever these data are to be used in numerical form in international trade.

N.10 (C.2) Use of simpler shipping marks

Working Party on Facilitation of International Trade Procedures, Recommendation No.15 - The Working Party... recommends that Governments, international organizations and those engaged in the international movement and documentation of goods should:

(a) adopt a Standard Shipping Mark comprising Abbreviated name, Reference number, Destination, and Package number (as described in the Recommendation), and note opportunities for further simplification made possible in certain modes of transport; ...

(b) discontinue requirements, especially official requirements, for additional information on packages (e.g. Country of Origin, Import Licence No., Documentary Credit No.); where such information is still required, it should be separated from the Standard Shipping Mark on packages and should not be required as part of the mark when reproduced in documents;

(c) promote the indication on packages of the Gross Weight, in kilograms, but not of other weights or dimensions;

(d) adopt ISO Standards for cargo handling instructions and United Nations standards for danger warnings; and

(e) adopt the physical marking methods, practices and standards set out in (this) Recommendation.

N.11 (D.12) Use of location codes

Working Party on Facilitation of International Trade Procedures, Recommendation No.16 - The Working Party... recommends that the five-letter alphabetic code system described should be used for purposes of international trade to designate location whenever there is a need for a coded alphabetical designation for representing the names of ports, airports, inland freight terminals and other locations where Customs clearance of goods can take place, or otherwise proposed by Governments.

N.12 (D.13) Use of PAYTERMS abbreviations

Working Party on Facilitation of International Trade Procedures, Recommendation No.17 - The Working Party... draws attention to the "PAYTERMS" corresponding to conditions of payment which are most frequently used in international trade, which can be employed when the contract of sale to which they relate makes this appropriate; recommends that the abbreviations shown in the list of "PAYTERMS" be used in such contracts.

N.13 (D.14) Use of codes for modes of transport

Working Party on Facilitation of International Trade Procedures, Recommendation No.19 - The Working Party... recommends that the code structure described should be applied whenever there is a need for a coded representation for indicating mode of transport for purposes of international trade.

N.14 (D.15) Use of codes for units of measurement

Working Party on Facilitation of International Trade Procedures, Recommendation No.20 - The Working Party... recommends that participants in international trade, when there is a need for coded representations of units of measurement, use the codes for such units presented in the list annexed to the (present) Recommendation.

N.15 (D.16) Use of packaging codes

Working Party on Facilitation of International Trade Procedures, Recommendation No.21 - The Working Party... recommends Governments and organizations responsible for relevant national regulations and practices related to the movement of goods in international trade to support international facilitation work by considering the codes described in the (present) Recommendation with a view to introducing them in such regulations and in practice;

recommends organizations responsible for international instruments that contain codes such as those covered by the (present) Recommendation to consider harmonization of any such codes in accordance with those presented hereafter when reviewing existing or preparing new international provisions;

recommends participants in international trade, when there is a need to use codes to represent different types of cargo, packages, and packaging materials, to use the numeric codes presented in (this) recommendation, and - when there is a need for such codes to represent names of packages - to use the complementary alphabetic codes.

N.16 (D.7) Commercial use of harmonized system Commodity codes

International Convention on the Harmonized Commodity Description and Coding System, Article 3(1)(a) - Each Contracting Party undertakes... that...its Customs tariff and statistical nomenclatures shall be in conformity with the Harmonized System.

II PROCEDURES

N.17 Limitation on requests for copies of documents

Working Party on Facilitation of International Trade Procedures, Recommendation No. 12, paragraph 22 - All parties involved in international maritime transport, including shipping lines, shippers, agents, consignees, Customs and port and other authorities, should limit their requests for copies of Bills of Lading and other maritime transport documents to those which are required absolutely.

N.18 (C.54, E.23) Preparation of bills of lading at destination by ADP

Working Party on Facilitation of International Trade Procedures, Recommendation No.18, paragraph 7.3 - To avoid delays and demurrage caused by the need to send documents by mail, facilities should be developed for the preparation of Bills of Lading in the country of destination, using automatic data processing and transmission.

N.19 Early despatch of shipping advices

Working Party on Facilitation of International Trade Procedures, Recommendation No.18, paragraph 3.1 - Despatch and shipping advices should reach the importer and/or import forwarder well in advance of the goods to enable timely arrangements for clearance and transport. Telex and other means of telecommunication should be used where required by the circumstances.

N.20 Timely notice of arrival, aligned

Working Party on Facilitation of International Trade Procedures, Recommendation No. 18, paragraph 7.6 - Carriers should ensure that Arrival notices are made available to all interested parties well before the arrival of the goods and should - depending on the time factor - use either telex or similar means, or a document aligned to the United Nations Layout Key, possibly a copy of the transport document.

III DOCUMENTS

N.21 Simpler insurance documentation

Working Party on Facilitation of International Trade Procedures, Recommendation No. 18, paragraph 5.1 - When exporters arrange insurance (i.e. in CIF or similar transactions), certification of the existence of such insurance should be accepted as issued by the insurer if in the form customary in the country in question (i.e. Policy, Certificate, Declaration, Acknowledgement, etc.). As an alternative to these forms, it is permissible to use a slip or stamp on another commercial document (e.g. Invoice) together with specification of the claims procedure and the terms of insurance, if standard. Otherwise a copy of the terms of insurance should be sent to the importer. In case of recurring shipments, a direct general confirmation of cover from the insurer to the importer can replace individual insurance documents.

Working Party on Facilitation of International Trade Procedures, Recommendation No. 18, paragraph 5.2 - When importers arrange insurance (i.e. in ex-works, FOB and similar transactions), the production of individual insurance documents (policies or certificates) is not necessary, except in certain bulk trades. However, importers should, in their own interests, arrange with their insurers for the issue of a floating policy, open cover or similar type of contract which will give them protection, irrespective of declarations made against it; a simple system of reporting all shipments to be insured should be agreed with the insurer.

N.22 Use of aligned invoice layout key

Working Party on Facilitation of International Trade procedures, Recommendation No.6 - The Working Party - noting that the recommended layout key would offer sufficient flexibility for adaptation to various national, commercial and technical needs - decided to recommend that governments... should adopt an aligned invoice layout key for international trade based on (this) Recommendation as an integral part of their respective national series of aligned forms, that they should encourage its use in the greatest possible number of commercial transactions and that the aligned invoice should be accepted by their competent authorities to complement or replace some or all of the administrative documents required hitherto.

N.23 Alignment of insurance documents

Working Party on Facilitation of International Trade Procedures, Recommendation No.18, paragraph 5.3 - Insurance policies and certificates, when issued for individual shipments, and Insurance declarations under open cover should be aligned to the United Nations Layout Key for trade documents.

Note: - In 1991, the Working Party adopted a Layout Key for Cargo Insurance Documents (TRADE/WP.4/R.757).

N.24 Alignment of sea waybills and bills of lading

Working Party on Facilitation of International Trade Procedures, Recommendation No.18, paragraph 7.1 - Sea waybills and Bills of lading should be designed on the basis of Recommendations adopted by the International Chamber of Shipping. (See C.51 above.)

N.25 (B.20, D.20) Aligned inspection applications and certificates

Working Party on Facilitation of International Trade Procedures, Recommendation No.18, paragraph 8.1 - Control and inspection bodies should align their certificates and application forms to the United Nations Layout Key; if certificates cannot be aligned, the use of aligned application forms should be allowed.

Note:

- In March 1983, the Working Party adopted the following Resolution:

> The Working Party ...
>
> Noting that the application of international standards for the presentation of information required in international trade is an appropriate way of removing non-tariff barriers to trade that persist through lack of harmonization of relevant national standards;
>
> ...
>
> Drawing attention to the advantages of cost, speed and accuracy when using aligned trade documents in international trade procedures;
>
> ...
>
> Recommends that governments and interested international organizations adopt, or work towards the adoption of, as appropriate, aligned versions of phytosanitary certificates

based on the aligned model forms (attached to the present Resolution) for use in connection with the International Plant Protection Convention as revised in 1979, when the latter enters into force, that said certificates be accepted in import procedures, and that national competent authorities allow the use of aligned forms of application.

N.26 (A.6, D.19, J.11) Use of UNLK aligned trade documents (ISO 6422)

Working Party on Facilitation of International Trade Procedures, Recommendations Nos. 1 and 2 (United Nations Layout Key for Trade Documents) paragraphs 15-17 - 15. The recommendation on a layout key for trade documents aims at providing an international basis for the standardization of documents used in international trade and transport and for visual display representations of such documents.

16. The United Nations Layout Key for Trade Documents is intended for application in the designing of documents related to the various administrative, commercial, productive and distributive activities constituting external trade, whether these documents are completed in handwriting, by mechanical means such as typewriters and automatic printers, or by reproductive methods. It applies to documents describing individual consignments (or groupage consignments, e.g. container loads) rather than documents listing the total load of a means of transport (e.g. Ship's Cargo Manifests); regarding the latter type of document, the Layout Key can be applied for the goods description particulars.Although the Layout Key applies mainly to documents used in trade with goods, it can also in relevant parts be applied to transactions not involving goods.

17. The Layout Key is intended particularly as a basis for the designing of aligned series of forms employing a master document in a reprographic one-run method of document preparation; it can also be applied for the layout of visual presentations in ADP applications.

Note: - In 1984, the Working Party issued Guidelines for the Application of the United Nations Layout Key when designing Trade Documents (TRADE/WP.4/INF.93; TD/B/FAL/INF.93).

- In 1985, the ISO adopted International Standard ISO 6422, Layout Key for Trade Documents.

N.27 Alignment of in-house documents

Working Party on Facilitation of International Trade Procedures, Recommendation No.18, paragraph 1.2 - Suppliers of goods in international trade should take into account the benefits of aligning relevant in-house documents to the United Nations Layout Key for trade documents, taking into account any national layout key or master document.

N.28 (C.47) Use of blank-back forms

Working Party on Facilitation on International Trade Procedures, Recommendation No.12, paragraphs 16-19 - Forms for Sea Waybills and Bills of Lading should not carry contract clauses or any other print on the reverse side of the form. The required reference to applicable terms and conditions should be made in a special clause on the observe side of the form; these terms and conditions should be made available separately. Common blank-back Sea Waybills and Bills of Lading are in all respects equal to traditional types of documents with clauses on the back.

Carriers and their agents should ensure that up-to-date versions of their terms and conditions of carriage are made available to all interested parties. Documentary Credits should not stipulate that blank-back documents are unacceptable.

N.29 (C.48) Use of shipper-provided forms

Working Party on Facilitation of International Trade Procedures, Recommendation No.12, paragraph 20 - Shippers should be entitled to provide forms for Sea Waybills and Bills of Lading in a neutral presentation, i.e. without pre-printed indication of the name of the carrier, provided that the name of the actual carrier (and - if required - his principal place of business) is entered in connexion with the completion of the document, in the place and in the manner suggested by the ICS in its Recommendations for Standard Bills of Lading (1972). (See C.51 above.)

N.30 Use of multi-service forms

Working Party on Facilitation of International Trade procedures, Recommendation No.12, paragraph 21 - Where neutral forms cannot be used, shipping lines should provide, to the extent possible, multi-service forms covering all services offered. These forms should contain only a general reference to the standard conditions of carriage applicable; such conditions and any other clauses, etc. should be printed separately and be made available to interested parties.

N.31 (0.5) Bank acceptance of one-run documents

Working Party on Facilitation of International Trade Procedures, Recommendation No.18, paragraph 4.1 - Importers should advise their banks not to reject invoices prepared in one-run systems.

N.32 (C.50, 0.6) Acceptance of short form documents for L/C purposes

Working Party on Facilitation of International Trade Procedures, Recommendation No.18, paragraph 4.2 - The ICC Uniform Customs and Practice for Documentary Credits state that short form documents are acceptable unless otherwise specified in the Documentary Credit. Importers should ensure that instructions are not given for documentary credits to contain the clause "Short form documents not acceptable".

N.33 Use of dangerous goods declaration

Working Party on Facilitation of International Trade procedures, Recommendation No.11, paragraph 31 - Where a separate declaration form is necessary, a recommended layout can be put forward as a detailed design guide for organizations drawing up declarations for different modes of transport, or for multimodal and combined transport. A recommended layout is set out in Annex I (to the Recommendation). The distinctive marking shown in the left and right margins of this format can be simulated on documents prepared by EDP or telex methods by entering a series of oblique strokes (/) down both margins.

N.34 (C.52) Use of sea waybill in preference to bill of lading

Working Party on Facilitation of International Trade Procedures, Recommendation No. 12, paragraph 13 - All interested parties, i.e. exporters, importers, carriers, banks and insurers and the relevant national authorities and international organizations, should endeavour to minimize the use of negotiable transport documents and encourage the use of alternative simpler sea waybill or other non-negotiable transport document which does not have to be surrendered at destination to secure delivery of the goods.

N.35 (C.53) Issue of single original bill of lading

Working Party on Facilitation of International Trade Procedures, Recommendation No. 12, paragraph 15 - To the extent that negotiable Bills of Lading continue to be required, e.g. in the case of documentary credits, only one original should be requested and issued. If a single original negotiable Bill of Lading is lost, similar procedures should apply as in the event of loss of any other document of title.

N.36 Inclusion of packing instructions in order

Working Party on Facilitation of International Trade Procedures, Recommendation No.18, paragraph 2.1 - Packing instructions, issued by the importer to the exporter when placing the order, should be included in the Order or, if complex, in an annex to the Order, thus avoiding the use of a special form.

N.37 Combination of delivery instructions with order

Working Party on Facilitation of International Trade Procedures, Recommendation No.18, paragraph 2.2 - Importers should combine delivery instructions with the Order, so as to avoid the use of a separate form for Delivery Instructions or for Request for Delivery Instructions.

N.38 Document distribution advice with despatch or shipping advice.

Working Party on Facilitation of International Trade Procedures, No.18, paragraph 3.2 - Exporters' Advice of distribution of documents should be combined with the Despatch or Shipping Advice.

N.39 Elimination of separate forwarding instructions

Working Party on Facilitation of International Trade Procedures, No. 18, paragraph 6.1 - Forwarding instructions and changes therein should, whenever possible and acceptable, be given by telephone, telex, telegram or by telecommunication means, thus eliminating the need for a separate document. Where a separate Forwarding instructions form is required, it should be aligned to the United Nations Layout Key.

N.40 (C.33, H.39) Use of standard cargo manifest

International Chamber of Shipping Standard Manifest Report and Recommendation, paragraph 2. It is considered advantageous to have a model layout for a standard manifest for three main reasons: (a) Mechanization, (b) Simplification, and (c) Facilitation.

N. 41 (C.55) Use of Standard Consignment Instructions

Working Party on Facilitation of International Trade Procedures, Recommendation No.22 - The Working Party ...

Recommends that the layout key (appended to the present recommendation) be used as a basis for the design of standard consignment instructions intended to convey instructions from either a seller/consignor or a buyer/consignee to a freight forwarder, carrier or his agent, or other provider of service, enabling the movement of goods and associated activities.

Group O - Measures relating to payment procedures

I. FORMALITIES

O.1 Avoidance of excessive detail in credits

ICC Uniform Customs and Practice for Documentary Credits, ICC Publication 500, Article 5 (a)(i) -Instructions for the issuance of a Credit, the Credit itself, instructions for an amendment thereto and the amendment itself must be complete and precise. In order to guard against confusion and misunderstanding, banks should discourage any attempt:

i. to include excessive detail in the Credit or in any amendment thereto;

Working Party on Facilitation of International Trade Procedures, Recommendation No.18, paragraph 4.0 - Both Collection Orders and Documentary Credits usually contain stipulations that specified documents must be presented before payment can be effected. Importers should exercise discretion in their documentary stipulations in order not to impose unnecessary requirements on their trade partners.

O.2 (B.2) Foreign exchange to be made available on same basis for licensed and unlicensed imports

General Agreement on Tariffs and Trade, Agreement on Import Licensing Procedures, Article 1(9) -The foreign exchange necessary to pay for licensed imports shall be made available to licence holders on the same basis as to importers of goods not requiring import licences.

II. PROCEDURES

O.3 Authenticated teletransmission deemed operative credit/amendment unless qualified

ICC Uniform Customs and Practice for Documentary Credits, ICC Publication 500, Article 11 (a)(i) - (ii) - When an Issuing Bank instructs an Advising Bank by an authenticated teletransmission to advise a Credit or an amendment to a Credit, the teletransmission will be deemed to be the operative Credit instrument or the operative amendment, and no mail confirmation should be sent... If the teletransmission states "full details to follow" (or words of similar effect) or states that the mail confirmation is to be the operative Credit instrument or the operative amendment, then the teletransmission will not be deemed to be the operative Credit instrument or the operative amendment...

O.4 Despatch of operative credit/amendment without delay after qualified teletransmission

ICC Uniform Customs and Practice for Documentary Credits, ICC Publication 500, Article 11 (a)(ii) - If the teletransmission states "full of details to follow" (or words of similar effect) or states that the mail confirmation is to be the operative Credit instrument or the operative amendment, then the teletransmission will not be deemed to be the operative Credit instrument or the operative amendment. The Issuing Bank must forward the operative Credit instrument or the operative amendment to such Advising Bank without delay.

III. DOCUMENTS

O.5 (N.31) Bank acceptance of one-run invoices

Working Party on Facilitation of International Trade Procedures, Recommendation No. 18, paragraph 4.1 - Importers should advise their banks not to reject invoices prepared in one-run series.

O.6 (C.50, N.32) Acceptance of short form documents for L/C purposes

Working Party on Facilitation of International Trade Procedures, Recommendation No. 18, paragraph 4.2 - The ICC Uniform Customs and Practice for Documentary Credits state that short form documents are acceptable unless otherwise specified in the Documentary Credit. Importers should ensure that instructions are not given for documentary credits to contain the clause "Short form documents not acceptable."

O.7 Bank acceptance of photocopied, carbon copies and ADP-produced documents

ICC Uniform Customs and Practice for Documentary Credits, ICC Publication 500, Article 20(b) -Unless otherwise stipulated in the Credit, banks will also accept as an original document, a document(s) produced or appearing to have been produced:

i by reprographic, automated or computerized systems;
ii as carbon copies,

provided that it is marked as original and, where necessary, appears to be signed.

O.8 (E.18) Acceptance of signature by facsimile, perforation, stamp, symbol, mechanical or electronic method of authentication

ICC Uniform Customs and Practice for Documentary Credits, ICC Publication 500, Article 20(b) -A document may be signed by handwriting, by facsimile signature, by perforated signature, by stamp, by symbol, or by any other mechanical or electronic method of authentication.

O.9 Copies do not need to be signed

ICC Uniform Customs and Practice for Documentary Credits, ICC Publication 500, Article 20 (c)(i) - Unless otherwise stipulated in the Credit, banks will accept as copy (ies), a document(s) either labelled copy or not marked as an original - a copy (ies) need not be signed.

O.10 Acceptance of alternative documents when credits calls for bill of lading

ICC Uniform Customs and Practice for Documentary Credits, ICC Publication 500, Article 23(a) -If a Credit calls for a bill of lading covering a port-to-port shipment, banks will, unless otherwise stipulated in the Credit, accept a document, however named, which:

i) appears on its face to indicate the name of the carrier and to have been signed or otherwise authenticated by:
- the carrier or a named agent for or on behalf of the carrier, or
- the master or a named agent for or on behalf of the master ..., and

ii) indicates that the goods have been loaded on board, or shipped on a named vessel ..., and

iii) indicates the port of loading and the port of discharge stipulated in the Credit, notwithstanding that it:

   a. indicates a place of taking in charge different from the port of loading, and/or a place of final destination different from the port of discharge, and/or
   b. contains the indication "intended" or similar qualification in relation to the port of loading and/or port of discharge, as long as the document also states the ports of loading and/or discharge stipulated in the Credit, and

iv) consists of a sole original bill of lading or, if issued in more than one original, the full set as so issued, and

v) appears to contain all of the terms and conditions of carriage, or some of such terms and conditions by reference to a source or document other than the bill of lading (short form/blank back bill of lading); banks will not examine the contents of such terms and conditions, and

vi) contains no indication that it is subject to a charter party and/or no indication that the carrying vessel is propelled by sail only, and

vii) in all other respects meets the stipulations of the Credit.

O.11 Limited acceptance of transhipment when credit prohibits

ICC Uniform Customs and Practice for Documentary Credits, ICC Publication 500, Article 23 (c) -Unless transhipment is prohibited by the terms of the Credit, banks will accept a bill of lading which indicates that the goods will be transhipped, provided that the entire ocean carriage is covered by one and the same bill of lading;

(d) - Even if the Credit prohibits transhipment, banks will accept a bill of lading which:

i. indicates that transhipment will take place as long as the relevant cargo is shipped in Container(s), Trailer(s) and/or "LASH" barge(s) as evidenced by the bill of lading, provided that the entire ocean carriage is covered by one and the same bill of lading and/or

ii. incorporates clauses stating that the carrier reserves the right to tranship.

0.12 Acceptance of alternative documents when credits calls for non-negotiable waybill

ICC Uniform Customs and Practice for Documentary Credits, ICC Publication 500, Article 24(a) -If a Credit calls for a non-negotiable sea waybill covering a port-to-port shipment, banks will, unless otherwise stipulated in the Credit, accept a document, however named, which:

i. appears on its face to indicate the name of the carrier and to have been signed or otherwise authenticated by:

- the carrier or a named agent for or on behalf of the carrier, or
- the master or a named agent for on behalf of the master..., and

ii. indicates that the goods have been loaded on board, or shipped on a vessel..., and

iii. indicates the port of loading and the port of discharge stipulated in the Credit, notwithstanding that it:

a. indicates a place of taking in charge different from the port of loading, and/or a place or final destination different from the port of discharge, and/or
b. contains the indication "intended" or similar qualification in relation to the port of loading and/or port of discharge, as long as the document also states the ports of loading and/or discharge stipulated in the Credit, and

iv. consists of a sole original non-negotiable sea waybill or if issued in more than one original, the full set as so issued, and

v. appears to contain all the terms and conditions of carriage, or some of such terms and conditions by reference to a source or document other than the non-negotiable sea waybill, (short form/blank back non-negotiable sea waybill); banks will not examine the contents of such terms and conditions, and

vi. contains no indication that it is subject to a charter party and/or no indication that the carrying vessel is propelled by sail only, and
vii. in all other respects meets the stipulations of the Credit.

O.13 Acceptance of alternative documents when credit calls for charter party bill of lading

ICC Uniform Customs and Practice for Documentary Credits, ICC Publication 500, Article 25 - If a Credit calls for or permits a charter party bill of lading, banks will, unless otherwise stipulated in the Credit, accept a document, however named, which:

i. contains any indication that it is subject to a charter party, and

ii. appears on its face to have been signed or otherwise authenticated by:

- the master or a named agent for or on behalf of the master, or

- the owner or a named agent for or on behalf of the owner, ..., and

iii. does or does not indicate the name of the carrier, and

iv. indicates that the goods have been loaded on board or shipped on a named vessel, ..., and

v. indicates the port of loading and the port of discharge stipulated in the Credit, and

vi. consists of a sole original bill of lading or, if issued in more than one original, the full set as so issued, and

vii. contains no indication that the carrying vessel is propelled by sail only, and

viii. in all other respects meets the stipulations of the Credit.

O.14 Acceptance of alternative documents when credits calls for multimodal transport document

ICC Uniform Customs and Practice for Documentary Credits, ICC Publication 500, Article 26(a) -If a Credit calls for a transport document covering at least two different modes of transport (multimodal transport), banks will, unless otherwise stipulated in the Credit, accept a document, however named, which:

i. appears on its face to indicate the name of the carrier or multimodal transport operator and to have been signed or otherwise authenticated by:

- the carrier or multimodal transport operator or a named agent for or on behalf of the carrier or multimodal transport operator, or
- the master or a named agent for or on behalf of the master..., and

ii. indicates that the goods have been dispatched, taken in charge or loaded on board..., and

iii. a. indicates the place of taking in charge stipulated in the Credit which may be different from the port, airport or place of loading, and the place of final destination stipulated in the Credit which may be different from the port, airport or place of discharge, and/or

b. contains the indication "intended" or similar qualification in relation to the vessel and/or port of loading and/or port of discharge, and

iv. consists of a sole original multimodal transport document or, if issued in more than one original, the full set as so issued, and

v. appears to contain all of the terms and conditions of carriage, or some of such terms and conditions by reference to a source or document other than the multimodal transport document (short form/blank back multimodal transport document); banks will not examine the contents of such terms and conditions, and

vi. contains no indication that it is subject to a charter party and/or no indication that the carrying vessel is propelled by sail only, and

vii. in all other respects meets the stipulations of the Credit.

O.15 Acceptance of alternative documents when credit calls for air transport document

ICC Uniform Customs and Practice for Documentary Credits, ICC Publication 500, Article 27 - If a Credit calls for an air transport document, banks will, unless otherwise stipulated in the Credit, accept a document, however named, which:

i. appears on its face to indicate the name of the carrier and to have been signed or otherwise authenticated by:

- the carrier, or
- a named agent for on behalf of the carrier,..., and

ii. indicates that the goods have been accepted for carriage, and

iii. where the Credit calls for an actual date of dispatch, indicates a specific notation of such date, the date of dispatch so indicated in the air transport document will be deemed to be the date of shipment.

For the purpose of this Article, the information appearing in the box on the air transport document (marked "For Carrier Use Only" or similar expression) relative to the flight number and date will not be considered as a specific notation of such date of dispatch.

In all other cases, the date of issuance of the air transport document will be deemed to be the date of shipment, and

iv. indicates the airport of departure and the airport of destination stipulated in the Credit, and

v. appears to be the original for consignor/shipper even if the Credit stipulates a full set of originals, or similar expressions, and

vi. appears to contain all of the terms and conditions of carriage, or some of such terms and conditions, by reference to a source or document other than the air transport document; banks will not examine the contents of such terms and conditions, and

vii. in all other respects meets the stipulations of the Credit.

O.16 Acceptance of alternative documents when credits calls for road, rail or inland waterway transport document

ICC Uniform Customs and Practice for Documentary Credits, ICC Publication 500, Article 28 - If a Credit calls for a road, rail, or inland waterway transport document banks will, unless otherwise stipulated in the Credit, accept a document of the type called for, however named, which:

i. appears on its face to indicate the name of the carrier and to have been signed or otherwise authenticated by the carrier or a named agent for or on behalf of the carrier and/or to bear a reception stamp or other indication of receipt by the carrier or a named agent for or on behalf the carrier, ..., and

ii. indicates that the goods have been received for shipment, dispatch or carriage or wording to this effect. The date of issuance will be deemed to be the date of shipment unless the transport document contains a reception stamp, in which case the date of the reception stamp will be deemed to be the date of shipment, and

iii. indicates the place of shipment and the place of destination as stipulated in the Credit, and

iv. in all other respects meets the stipulations of the Credit.

O.17 Acceptance of post receipt or certificate of posting (conditions)

ICC Uniform Customs and Practice for Documentary Credits, ICC, Publication 500, Article 29(a) -If a Credit calls for a post receipt or certificate of posting, banks will, unless otherwise stipulated in the credit, accept a post receipt or certificate of posting which:

i. appears on its face to have been stamped or otherwise authenticated and dated in the place from which the Credit stipulates the goods are to be shipped or dispatched and such date will be deemed to be the date of shipment or dispatch, and

ii. in all respects meets the stipulations of the Credit.

O.18 Acceptance of courier receipt (conditions)

ICC Uniform Customs and Practice for Documentary Credits, ICC Publication 500, Article 29(b) -If a Credit calls for a document issued by a courier or expedited delivery service evidencing receipt of the goods for delivery, banks will, unless otherwise stipulated in the credit, accept a document, however named, which:

i. appears on its face to indicate the name of the courier/service, and to have been stamped, signed or otherwise authenticated by such named courier/service (unless the Credit specifically calls for a document issued by a named Courier/Service, banks will accept a document issued by any Courier/Service), and

ii. indicates a date of pick-up or of receipt or wording to this effect, such date being deemed to be the date of shipment or dispatch, and

iii. in all other respects meets the stipulations of the Credit.

O.19 Limited acceptance of freight forwarder issued transport document

ICC Uniform Customs and Practice for Documentary Credits, ICC Publication 500, Article 30 - Unless otherwise authorized in the Credit, banks will only accept a transport document issued by a freight forwarder if it appears on its face to indicate:

i. the name of the freight forwarder as a carrier or multimodal transport operator and to have been signed or otherwise authenticated by the freight forwarder as carrier or multimodal transport operator, or

ii. the name of the carrier or multimodal transport operator and to have been signed or otherwise authenticated by the freight forwarder as a named agent for or on behalf of the carrier or multimodal transport operator.

O.20 Commercial invoices need not be signed

ICC Uniform Customs and Practice for Documentary Credits, ICC Publication 500, Article 37(a) -Unless otherwise stipulated in the Credit, commercial invoices:

i. must appear on their face to be issued by the Beneficiary named in the Credit ..., and
ii. must be made out in the name of the Applicant, ..., and
iii. need not be signed.

O.21 Acceptance of weight certificate on transport document

ICC Uniform Customs and Practice for Documentary Credits, ICC Publication 500, Article 38 - If a Credit calls for an attestation or certification of weight in the case of transport other than by sea, banks will accept a weight stamp or declaration of weight which appears to have been superimposed on the transport document by the carrier or his agent unless the Credit specifically stipulates that the attestation or certification of weight must be by means of a separate document.

O.22 Acceptance of goods description in general terms

ICC Uniform Customs and Practice for Documentary Credits, ICC Publication 500, Article 37(c) -The description of the goods in the commercial invoice must correspond with the description in the Credit. In all other documents, the goods may be described in general terms not inconsistent with the description of the goods in the Credit.